for the relief of estate of Benjamin B. Coffey—to the Committee on War Claims.

Also, papers to accompany bill for relief of John W. Smart—to the Committee on War Claims.

By Mr. SLAYDEN: Petition of the Woman's Literary Club of Mason, Tex., in favor of constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1785, granting a pension to Samuel T. Wallace—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petitions of A. L. F. Dergo and others, of Gardiner, N. Y., and Charles Frink and others, of Gallupsville, N. Y., favoring passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Frederick Becker, George Smith, and Aug. Bruhns, of New York City, in favor of clause in post-office appropriation bill relative to contract labor—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany bill for relief of W. T. Dixon—to the Committee on War Claims.

SENATE.

WEDNESDAY, *April 27, 1904.*

The PRESIDENT pro tempore called the Senate to order at 12 o'clock m., and directed the Secretary to read the Journal of yesterday's proceedings.

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

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

Mr. CULLOM. I have agreed to yield to the Senator from New Hampshire [Mr. GALLINGER] to submit some conference reports.

The PRESIDENT pro tempore. There is a conference report, to be submitted by the Senator from West Virginia [Mr. SCOTT], already on the table.

Mr. PLATT of Connecticut. May I inquire whether, this being an opening session of the day, the rules with regard to morning business are to be observed?

The PRESIDENT pro tempore. Yes; but a conference report may be submitted at any time except during the reading of the Journal.

Mr. PLATT of Connecticut. I have some morning business that I am very anxious to dispose of.

The PRESIDENT pro tempore. The Chair will call for morning business presently, after the conference reports have been disposed of.

HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. SCOTT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 136) for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 11 of the bill insert the following: "John M. Holly, to succeed John L. Mitchell, his term of service expiring April 21, 1904;" and the Senate agree to the same.

N. B. SCOTT,
J. B. FORAKER,
Managers on the part of the Senate.

J. A. T. HULL,
GEORGE W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

The report was agreed to.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. Mr. President, I desire to give notice that on the second day of the next session, being the Tuesday after the first Monday in December, I shall ask the Senate to take up the bill for the protection of the President and keep it before the Senate until it is disposed of. I had proposed to bring the bill before the Senate some time during the last few weeks, but I have been prevented by illness.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 14093) to incorporate the Carnegie Institute of Washington.

The message also 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 Senate to the following bills:

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1905, and for prior years, and for other purposes.

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

A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahuaiki, Territory of Hawaii; and

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

EUCLID PLACE AND ERIE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2134, "An act to connect Euclid place with Erie street," 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.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

Mr. GALLINGER. Mr. President, before the conference report is agreed to, I desire to occupy a moment by a statement.

This is one of five bills that the Senate has passed in reference to street extensions. The Senate inserted the provision that one-half of the expense should be paid from the revenues of the District of Columbia and one-half from money in the Treasury of the United States. The Senate did that for the reason that they believed the organic act required that to be done. I wish to read simply one provision from the so-called organic act:

To the extent to which Congress shall approve of said estimates (submitted by the Commissioners through and with the approval of the Secretary of the Treasury) Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States.

Now, Mr. President, the Senate Committee on the District of Columbia has been unable to see why the Government should not pay one-half the expense of street extensions, as well as the building of sewers and other improvements, that are made in this District. The House refused to agree to that amendment and insisted upon a provision that has heretofore been inserted in street-extension bills during the past few years, that the entire expense should be paid from the revenues of the District of Columbia. These are small bills, the expenditure is inconsequential, and reluctantly the Senate committee has yielded to the House so far as that contention is concerned.

Mr. MCCOMAS. Will the Senator from New Hampshire allow me a moment before he takes his seat?

Mr. GALLINGER. Certainly.

Mr. MCCOMAS. I heard the Senator read the organic act in respect to the obligation to divide the expense, which is very clear; and nine times out of ten it has been followed by Congress. The Senator protests against the House proposition to extend these individual streets and have them paid for by the abutters and by the District. Certainly in the capital in the extensions of thoroughfares the wisdom of the organic act of 1878 has been vindicated by time and by the development of the city. I trust the Senator means to say that he will not allow, in so far as he can in his committee, this exception in any way to be taken as a yielding of the proposition he has just stated.

Mr. GALLINGER. I will say to the Senator that so far as I know the Committee on the District of Columbia remain firm in the opinion that their contention is sound.

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Mr. McCOMAS. And to sustain the proposition I want to say with deference if they had declined to make the present exception in that way, they might have more clearly emphasized the position of the Senate committee.

Mr. GALLINGER. And yet had the committee insisted upon that, it would have resulted in defeating two or three extensions that will cost a very trifling sum of money that is demanded at the present time by the best interests of the public.

Mr. McCOMAS. I have no doubt of the weight of the consideration which controlled in this case. But I trust the committee will adhere to the proposition that in the capital city the Government shall bear one-half of the work of the thoroughfares and the District the other half, and that placing the whole burden on the District and the abutters will end at some time. It is not just, it is not wise, and will not develop the 7 square miles of this territory as they should be developed.

Mr. STEWART. The opening of the necessary streets to carry out the plan of Washington is a very important question. It involves a great many million dollars' worth of property to be condemned and paid for by the District. It is impossible, under this arrangement, to make such payments as rapidly as the demands of the Government and the people in the growth of the city require. It is unfortunate that any subdivisions were allowed that did not conform to the plan of the city. I protested against it at the time when it was being planned. The principle to be followed has been violated by the Commissioners. The Commissioners have been guilty from time immemorial of allowing subdivisions to be made in conflict with the general system. To open the streets as they should be opened will involve this city in great expense.

The report was agreed to.

KALORAMA AVENUE.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the joining of Kalorama avenue," 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.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

EXTENSION OF ALBEMARLE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 3869, "An act for the extension of Albemarle street," 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.

J. H. GALLINGER,
S. R. MALLORY.
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

HIGHWAYS CONNECTING ZOOLOGICAL PARK.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2710, "An act for the opening of connecting highways on the east and west sides of the Zoological Park, 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 Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

WIDENING OF V STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW.," 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.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

Mr. COCKRELL. What was the amendment of the House?

Mr. GALLINGER. The amendment of the House was stricken out and the Senate provision that one-half of the expenses should be paid from the revenues of the District of Columbia and one-half from the money in the Treasury.

Mr. COCKRELL. Paying it all from the revenues of the District of Columbia.

Mr. GORMAN. The Senate, of course, agrees to the report, but I only want to say that it is a very radical departure from the organic act. I believe that it would be wise to permit this matter to go over until the next session, where it can be thoroughly considered. It is a great hardship upon the property holders within the city proper, and certainly is a violation of the organic act.

Mr. GALLINGER. I will say to the Senator from Maryland that while I fully agree with him on the general proposition, yet it is a fact, which I did not know until very recently, that since the repeal of the highway act, so called, which took place several years ago, all bills passed for the opening of streets have contained the provision that the District of Columbia should pay the entire expense. I think it is all wrong. These five bills, however, carry a trifling appropriation; they are extremely inconsequential matters, and I really feel that we have acted wisely in permitting them to become laws in the form the House insisted upon. At the next session we will take the matter up very seriously concerning other bills that will involve greater amounts.

This matter was submitted to the House, I will say to the Senator, a few days ago, and by a unanimous-consent vote apparently they insisted that the bills should be in this form. I wish it were not so, but we have to face the condition of things as it exists.

Mr. GORMAN. I am aware that the House has insisted and the Senate has agreed in the past in quite a number of cases to this new rule. In fact, we have four bills or more here now only multiplying the exceptions and rather fixing the rule, which I think is very unjust. I do not believe that any further opening of these streets should be made until this matter is adjusted. In the first place, as I said, under the organic act, I think the Government is bound for one-half the cost of all these improvements.

Mr. COCKRELL. I should like to ask the Senator from Maryland what he means by the organic act?

Mr. GORMAN. I mean the act creating the present form of government—the act of 1878, or whatever it was, which provided for the system of government in the District of Columbia and the general control of affairs here.

Mr. COCKRELL. That is not a constitution or anything of that kind. It is a law at the will and pleasure of Congress to do just as they please with reference to the matter.

Mr. GALLINGER. It is frequently alluded to as the organic act.

Mr. GORMAN. I use the familiar expression when I call it the organic act. I think in all fairness the matter should have more thorough consideration. The fact is that the whole country is interested in the proper development of this District and laying it off in streets and squares.

At the same time there are great individual interests, as we all know, particularly in the suburbs of the city; there are syndicates and individuals who desire to have their property developed, and if we are to abandon the old rule of the Government participating in the expenditure and yet have the ownership of the streets, some more proper and equitable arrangement should be made for the expense, not saddling it upon property holders within the old limits.

While the Senator says there are only a few cases now, and they are insignificant in amount, I want to give notice that so far as I am concerned it will not bind me, and it can not be quoted hereafter that because of these three or four bills it is a proper and

fair rule, for I do not believe it is. I think the faith of the Government is pledged otherwise.

Mr. DUBOIS. As a member of the committee of which the senior Senator from New Hampshire is chairman, I concur in his statement that the Senate committee is opposed to this departure, but I do not like the reason assigned by him as to why we should make the change. I belong to another committee of this body where they have made a radical change, in my judgment, in regard to the disposition of Indian lands because the House insists upon it. If the Senate is willing to change the custom in regard to the opening up of streets, if it is willing to saddle the burden upon the District and relieve the Government from it, well and good, but if we are not, I think we should say so and have the contest fought out thoroughly with the House. I think that should be so in regard to all other legislation. If the Senate is standing for a principle it ought not to yield because some local end is to be gained temporarily by yielding. At the same time, while we are constantly yielding we are insisting that we are against the principle which the House is contending for.

It seems to me that the members of this body ought to be much more careful in saddling burdens upon the District than upon their own States. We are the guardians of the people of the District. We are the sole judges as to what disposition shall be made of things affecting them and of the amount of money they are to pay. In our respective States the people can vote against taxation. Here we tax the people of the District, and they have no voice in it except through us. While I would not interfere with the chairman of our committee, I think a halt ought to be called, not only in regard to this departure, but in regard to others, where the Senate is sacrificing a principle for a temporary and local gain or convenience.

Mr. MALLORY. I wish to call the attention of the Senator from Idaho to the fact that this is not a change in the policy of Congress that is suddenly made. It is an attitude which the House has occupied for some years past, and practically they are standing in a consistent attitude so far as the past few years are concerned. The Committee on the District of Columbia of the Senate realize the fact that the House has committed itself in the past few days almost unanimously in opposition to the view which the Senate has adopted. There is no question that, unless we yield, these bills will fail.

Our position is antagonistic to the position which the House has occupied for several years past, at least. I am inclined to think that we sacrifice no principle at all in permitting these bills to go through now. Hereafter, when the attitude of the House is thoroughly understood by the Senate, if it is the will of the Senate that we should antagonize the position of the House and hold that attitude and thereby prevent the opening of streets in the District of Columbia, then we can do so. But this is very suddenly sprung. We can not maintain that the attitude which the House holds now as compared to the attitude which it held in the past is consistent. I can not see any real reason why these bills should not be allowed to pass now.

Mr. DUBOIS. I will say to the Senator from Florida that what I am attempting to do is to emphasize my own position. I do not agree with the position which the House has taken. I think the more we yield to them the weaker becomes our own position, if I am correct in assuming that the Senate does not agree with the position which the House has taken.

Mr. GALLINGER. Just a word, Mr. President. The Senator from Florida [Mr. MALLORY] is absolutely correct in his statement that this is not a new thing. Since the repeal of the highway act, which I think was about seven years ago, every bill which has passed Congress for the opening of streets has been upon the same basis as contemplated in these conference reports. At the same time, I have been opposed to that doctrine, and I am still opposed to it. If it is hereafter thought desirable to make an issue with the House, we can make it. I will say that there are several bills now before the committee, which have been laid aside for the purpose of further and more careful consideration by the committee, involving this same principle.

It is proper I should say that in opening streets in the District in many cases the entire cost has been assessed upon the owners of abutting property. But these are very inconsequential things, and it is very important that these conference reports should be acted upon.

I think the Senator from Idaho [Mr. DUBOIS] will have no difficulty in finding the chairman of the committee in full accord with his views, and the issue can be made in the future at a time when there will be involved a greater expenditure than is involved in these little bills.

I trust that the conference report may be agreed to.

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

The report was agreed to.

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 26th instant approved and signed the act (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce."

The message also announced that the President of the United States had on this day approved and signed the act (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

Mr. CULLOM. Mr. President, the joint resolution now before the Senate was passed by the House of Representatives on April 8, 1904, and referred to the Committee on Foreign Relations of the Senate on April 9, 1904, from which committee it was favorably reported on April 13. It provides:

That it is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime states of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime powers, with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents.

This resolution contains a principle—the exemption of private property at sea—that has been a settled policy of this Government for more than a hundred years.

As early as 1785, before the adoption of the Constitution of the United States, we find that this principle was enunciated in a commercial treaty with Prussia.

Under the Administration of President Madison, in 1823, an effort was made by the United States to induce Great Britain, France, and Russia to adopt the policy of the exemption of all private property at sea without result.

Such an effort was again made under the Administration of President Buchanan.

The declaration of the powers of 1856, known as the "declaration of Paris," was an important step in this direction, abolishing privateering and making a neutral flag cover enemy's goods, except contraband of war; in other words, "free ships make free goods." The United States was not a party to this declaration.

In 1870 Mr. Fish attempted to bring about an understanding among the nations as to the exemption of private property at sea.

In 1871 we entered into a treaty with Italy containing a recognition of the exemption of private property at sea. Article 12 of that treaty provided:

That, in the unfortunate event of war between them, the private property of their respective subjects and citizens, with the exception of contraband of war, shall be exempt from capture or seizure on the high seas or elsewhere by the armed vessels or by the military forces of either party. * * *

This principle was recognized in the war of 1866 between Austria and Prussia.

But with very few exceptions the rule of the capture of private property at sea has been universally followed by almost all of the nations.

Private property on land has long since been exempt from seizure during war, and the same rule should apply to private property at sea.

Great Britain has been the one leading nation that has heretofore declined to subscribe to this doctrine, but Hall, one of the recent recognized authorities on international law, an Englishman, has written quite recently on this subject, and concludes that the time has come when Great Britain must abandon her position favoring the capture of private property at sea; that it is in the interest of Great Britain to do so, because even with her almost unlimited naval forces she is now unable to protect her world-wide commerce in case of war.

President McKinley, in his message to Congress in 1898, said on this subject:

The experiences of the last year bring forcibly home to us a sense of the burdens and the waste of war. We desire, in common with most civilized nations, to reduce to the lowest possible point the damage sustained in time of war by peaceable trade and commerce. It is true we may suffer in such cases less than other communities, but all nations are damaged more or less by the state of uneasiness and apprehension into which an outbreak of hostilities throws the entire commercial world. It should be our object to minimize so far as practicable this inevitable loss and disturbance. This purpose can probably best be accomplished by an international agreement to regard all private property at sea as exempt from capture or destruction by the forces of belligerent powers. The United States has for many years advocated this humane and beneficent principle, and is now in position to recommend it to other powers without the imputation of selfish motives. I therefore suggest for your consideration that the Executive be authorized to correspond with the governments of the principal maritime powers with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea not contraband of war from capture or destruction by belligerent powers.

President Roosevelt, in his message of December 7, 1903, renewed President McKinley's recommendation, and added:

I advocate this as a matter of humanity and morals. It is anachronistic when private property is respected on land that it should not be respected at

sea. Moreover, it should be borne in mind that shipping interests represent, internationally speaking, a much more generalized species of private property than is the case with ordinary property on land—that is, property found at sea is much less apt than is the case with property found on land really to belong to any one nation. Under the modern system of corporate ownership the flag of a vessel often differs from the flag which would mark the nationality of the real ownership and money control of the vessel, and the cargo may belong to individuals of yet a different nationality. Much American capital is now invested in foreign ships; and among foreign nations it often happens that the capital of one is largely invested in the shipping of another. Furthermore, as a practical matter it may be mentioned that while commerce destroying may cause serious loss and great annoyance it can never be more than a subsidiary factor in bringing to terms a resolute foe. This is now well recognized by all of our naval experts. The fighting ship, not the commerce destroyer, is the vessel whose feats add renown to a nation's history and establish her place among the great powers of the world.

Mr. President, this seems to be an opportune time for the recognition by the nations of the principle of the exemption of private property at sea, for which the United States has so long contended.

Mr. President, that is all I desire to say at this time upon the joint resolution which has been laid before the Senate.

DIPLOMATIC QUESTIONS DISPOSED OF SINCE 1897.

It is my purpose now to review briefly the diplomatic or international questions disposed of since 1897 and to give a brief account of what has been accomplished through the conduct of our foreign relations for the past seven years.

Under the McKinley-Roosevelt Administrations more important diplomatic questions have been brought to a successful conclusion than under any two previous Administrations in the history of the United States.

HAWAIIAN ISLANDS.

The acquisition of the Hawaiian Islands was the first important achievement in the conduct of our foreign relations after William McKinley became President on the 4th of March, 1897.

For three-quarters of a century American statesmen had discussed and attempted to bring about the annexation of the islands to the United States, but without result. Daniel Webster, when Secretary of State, in 1853 said that it is obvious from the circumstances connected with their position that the interests of the United States require that no other power should colonize or possess the Sandwich Islands or exercise over their government an influence which would lead to a partial or exclusive control in matters of navigation or trade.

The Hawaiian Islands were finally annexed by joint resolution of Congress approved by President McKinley July 7, 1898. They were organized as a Territory of the United States and are now enjoying the prosperity incident to our country generally.

The geographical position of the islands, situated as they are in the Pacific, between our own western coast and the countries of the Far East, the splendid harbor and coaling station on the island of Hawaii, our increasing interests and commerce with the Orient, make the islands of the greatest importance to the United States.

Half a century ago that great statesman, William H. Seward, said that—

> The Pacific Ocean, its shores, its islands, and the vast region beyond will become the chief theater of events in the world's hereafter.

As we look back on the events which have transpired in the Far East in the past few years in the struggle among the great nations for supremacy in the Orient and on what is taking place there to-day, Secretary Seward's words seem to be almost prophetic.

It seems to be destined that the United States will one day become the predominating power in the Pacific.

The acquisition of the Hawaiian Islands was the first step which gave to the United States a foothold in the Pacific and was the beginning of our great expansion under the McKinley Administration.

The first grave international question confronting President McKinley after the passage of the Dingley tariff act, which so successfully restored prosperity to the United States, was our threatened relations with Spain.

Conditions in Cuba since 1823 had caused the United States great concern. Revolution succeeded revolution, and it seemed inevitable that Spain, owing to her own misgovernment, would lose control of Cuba.

The last revolution commenced in 1895, and if prompt measures had been taken it might have been settled by the Cleveland Administration and the war with Spain averted. But this, like many other great international questions, remained to be settled under the succeeding Republican Administration.

Realizing the seriousness of the war, President McKinley used every effort at his command to avert it, but the inhuman warfare waged by Spain on the island, her treatment of the Cubans, finally culminating in the destruction of the battle ship *Maine*, so aroused the people of the United States that nothing but the absolute independence of the island of Cuba would avail. This could only be accomplished by war, and accordingly after thirty-three years of continued peace we were again at war, this time, however, not to save our own Union or for any selfish purpose, but to free an oppressed people.

No need for me to review the brief history of that war. It continued but a little over three months and resulted in a complete victory for the United States.

The peace protocol was signed at Washington August 12, 1898, and the final treaty of peace with Spain was concluded at Paris December 10, 1898, and, after considerable opposition, was ratified by the Senate February 6, 1899.

By that treaty Spain relinquished her claim of sovereignty over Cuba and ceded to the United States Porto Rico and other islands under Spanish sovereignty in the West Indies and the Island of Guam in the Ladrones.

By the treaty also Spain ceded to the United States the Philippine Archipelago, for which we agreed to pay $20,000,000 in gold.

By the treaty of peace, therefore, the United States became responsible for the future of Cuba and acquired the island of Porto Rico and the Philippines.

Our acquisition of Porto Rico and the Philippines, while important to the United States, has given to the people of those islands a better government, more liberty, greater prosperity than they ever enjoyed in their previous history.

PORTO RICO.

To Porto Rico we have given practically the same government as we have to our own Territories. The governor of the island is appointed by the President, but by law we have provided that Porto Rico shall have a local legislature elected by her own people authorized to pass laws for the local government of the island. We have provided Porto Rico an admirable judiciary, composed principally of native Porto Ricans.

We have given to Porto Rico the benefit of free trade with the United States, which has in no small measure contributed to her prosperous condition.

The Porto Ricans are a quiet, orderly people, apparently perfectly satisfied to remain under our flag, and they have given to the United States no embarrassment.

THE PHILIPPINES.

More than four years have passed since the flag of the United States was raised over the Philippine Islands.

When we assumed control of the islands, under the treaty of peace with Spain, the natives were in a state of revolution against the authority of the Spanish Government. That revolution continued for a time against the sovereignty of the United States, notwithstanding the Filipino people were assured that—

> We come not as invaders and conquerors, but as friends, to protect the natives in their homes, in their employment, and in their personal and religious rights.

But at last peace has been restored, a comparatively small army of some 15,000 soldiers remaining to secure order. We have provided the Philippines with a complete civil government and as large a measure of local self-government as they are capable of exercising.

President Roosevelt well summed up the Philippine situation in his message at the beginning of the second session of the Fifty-seventh Congress, wherein he said that—

> Civil government has now been introduced. Not only does each Filipino enjoy such rights to life, liberty, and the pursuit of happiness as he has never before known during the recorded history of the islands, but the people, taken as a whole, now enjoy a measure of self-government greater than that granted to any other oriental by any foreign power and greater than that enjoyed by any other oriental enjoyed under their own government, save the Japanese alone. * * *
>
> No policy ever entered into by the American people has vindicated itself in a more signal manner than the policy of holding the Philippines.

While the acquisition and government of the Philippine Islands have caused the United States much trouble and expense, still our possession of those islands is advantageous in many respects. From a business standpoint the trade and commerce of the Philippines is not unimportant. Their imports for the year 1902 amounted to $41,105,034 and their exports were $27,157,087. As a result of returning prosperity under American rule the exports of the Philippine Islands have increased nearly $12,000,000 during the year 1903. With prosperity and development, under American rule, it is difficult to estimate what the total trade of the Philippines will be in the years to come. The resources of the islands are boundless, and it is not unsafe to say that the total value of the trade, exports and imports, will eventually amount to several hundred millions annually.

From the standpoint of trade, of securing foreign markets for our own products, the acquisition of the Philippines will prove a profitable investment for the United States.

But this is not all. Their geographical position near China and Japan will prove an advantage to the United States in securing control of those rich markets. It has been said that Manila in no far distant day will become the great commercial center of the Orient.

In addition to all this, as Hawaii was the first step toward our becoming the predominating power in the Pacific, so the acquisition of the Philippines is another important advance in that direction.

CUBA.

In order that no selfish motive might be imputed to the United States in entering upon the war with Spain, five days before the passage of the resolution declaring war against Spain a resolution was passed by Congress stating that—

The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the island of Cuba, except for the pacification thereof and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

We have kept this pledge to the very letter. It has been well said that—

There is no other instance in modern history where such a declaration of self-negation was first made and then completely fulfilled.

This bright record of disinterested and national faith will grow sweeter and sweeter in the memory of those who pride themselves as the sons of a great, free, and honorable nation.

We retained control of Cuba for a time until she was in a condition to establish her own government; we assisted her in establishing a republican government; we only asked that she should pledge us not to enter into any compact with a foreign power which would tend to impair the independence of Cuba or permit a foreign power to obtain lodgment in or control over any portion of the island; not to assume or contract any public debt to repay which the ordinary revenues of the island would be inadequate, and giving the United States the right to intervene for the maintenance of her independence.

These pledges which we exacted of Cuba are substantially the important provisions of the so-called "Platt amendment." They are in the interest of Cuba more perhaps than they are in the interest of the United States. With these exceptions, Cuba is as independent of the United States as she is of the rest of the world.

Cuba has adopted the provisions of the so-called "Platt amendment" as a part of her fundamental law, and a treaty has been concluded and recently ratified by the Senate embodying these pledges in the form of an international compact.

We not only engaged in war to free Cuba from Spanish misrule, necessitating the expenditure of millions of money and the sacrifice of the lives of hundreds of American soldiers, but the Government of the United States, after establishing Cuba as an independent republic, under the constant urging of President Roosevelt, provided for reciprocal commercial relations with that island in order to give to Cuba material prosperity and to bring the island into closer commercial relations with the United States.

This reciprocity treaty has been ratified by the Senate and carried into effect by Congress, and provides in brief that Cuban products shall be admitted into our ports at a reduction of 20 per cent below the Dingley tariff act, in return for which Cuba grants concessions on American products varying from 20 to 40 per cent, which will enable the United States to secure a large part of the Cuban market.

To enable the United States to maintain the independence of Cuba and to protect her people, as well as for the defense of our own country, Cuba has leased to the United States two splendid coaling stations, Guantanamo and Bahia Honda.

These stations are not only of value for the defense of our own country, but they are very important from a strategic standpoint in the defense of an isthmian canal, when it shall be constructed.

RESULTS OF THE WAR WITH SPAIN.

The termination of the war with Spain freed Cuba and gave to the United States Porto Rico and the Philippines. But there were more important results. That short, though momentous, conflict, small though it was in comparison with our own civil war, had almost as important an effect upon the subsequent history and policy of the United States.

Our war with Spain brought the nation to a self-consciousness as no other event in our history has done. That conflict aroused us to a realization of the fact that more than a century of remarkable internal industrial development had rendered us an important factor in the world's system.

Under the Administrations of McKinley and Roosevelt the United States has obtained a position among the nations of the world which it never occupied in any former period of our national life. Eight years ago we were not considered or consulted in the policies or politics of the world. To-day we are regarded by the other nations as one of the great leading nations of the world and are consulted as a factor in the settlement of the policies and the disposition of the important questions arising among the nations.

Mr. President, the simple fact that this nation is a factor and is so recognized by other nations is of no very great consequence, except as it may influence other nations in their conduct toward us, and this nation may exert its power among other nations for the uplifting of mankind. The world is slowly moving toward the recognition of the doctrine that governments are made by and for the people and not the people for the government.

In securing the freedom of Cuba a question which had been before succeeding Administrations since 1823 was finally and for all time disposed of.

ALASKAN BOUNDARY.

The long-pending controversy between the United States and Great Britain over the boundary between Alaska and Canada is another very important diplomatic question which has been settled under this Administration.

The treaty of 1868 between the United States and Russia, by which we acquired Alaska, in describing the boundary of Alaska adopted the description contained in the treaty of 1825 between Great Britain and Russia. Years ago, however, it was demonstrated that the boundary described in the treaty of 1825 was incorrect as a geographical fact.

While the country remained unsettled the definite boundary was not so material, but since the first Cleveland Administration the Alaskan boundary has been an important subject of dispute. The feeling over the boundary among our people in Alaska, Washington, and our extreme northwestern States, as well as among the people of Canada, had become very bitter.

A provisional boundary was agreed upon in 1878 and in 1899 for revenue purposes, but this was only a temporary arrangement and unsatisfactory.

By executive agreement in 1899 a joint high commission was created by the Governments of the United States and Great Britain for the purpose of disposing of all unsettled questions between the United States and Canada, embracing twelve subjects, among which was the Alaskan boundary controversy. The joint high commission made considerable progress in adjusting these questions, but failing to reach an agreement as to the Alaskan boundary the commission adjourned without disposing of any of the subjects in controversy.

In view of our long and undisputed occupation of the territory in question, President Roosevelt declined to allow the reference of the Alaskan boundary controversy to a regular arbitration at The Hague court, but instead he proposed the creation of a judicial tribunal, composed of an equal number of members from each country, feeling confident that our claim would be successfully established by such a body. Against much opposition and many predictions of failure, on January 24, 1903, a treaty between the United States and Great Britain was signed providing for such a tribunal.

The treaty was ratified and the members of the tribunal appointed. Assembling on September 3, 1903, and being presided over by the lord chief justice of England, it reached a conclusion on October 20, resulting in a complete victory for the United States and sustaining every material contention of our Government.

Thus was confirmed the wisdom of President Roosevelt's action, peacefully settling this irritating controversy, which was believed by some would eventually cause war between the United States and Great Britain and which certainly stood as an obstacle to the maintenance of peaceful relations with Canada.

The settlement of the Alaskan boundary controversy and the restoration of good relations with our northern neighbor has proved one of the most notable diplomatic triumphs of our Government.

Mr. MORGAN. May I ask the Senator a question?

Mr. CULLOM. Certainly.

Mr. MORGAN. Are not citizens of the United States claiming that they have been very badly damaged by that treaty, and are they not now making claims for reclamation against the United States for having their property, which they built there under the flag, excluded from our boundaries?

Mr. CULLOM. In answer to the Senator from Alabama, Mr. President, I will say that I know of but one claim, which is that of a corporation of some kind which had an establishment on an island that was given up by the United States to Canada. That claim has been before the Committee on Foreign Relations, as the Senator is aware, and an allowance has been recommended by that committee for payment to those people of what was regarded as proper compensation for the damage sustained by them.

Mr. MORGAN. Will the Senator state what was the amount of the claim?

Mr. CULLOM. The claim as presented amounted to over $200,000.

Mr. MORGAN. How much was the allowance?

Mr. CULLOM. The allowance was something over $80,000.

Mr. MORGAN. Was that passed by the Senate?

Mr. CULLOM. I am not sure. The bill has been in the hands of the junior Senator from Massachusetts [Mr. LODGE]. It may have been passed, but I am not aware whether or not it has been.

INTERNATIONAL ARBITRATION.

No previous Administration and no country have done more toward the settlement by peaceful methods, rather than by war, of the differences which arise among nations than have the Administrations of Presidents McKinley and Roosevelt.

The Hague international conference for peace was an important step in the direction of international arbitration.

When the Czar of Russia issued his invitation to the nations in 1898 to unite in a conference to consider the subject of disarming and the promotion of peace, President McKinley was one of the first to give response, and he sent to the conference at The Hague a commission of our most able diplomats and expert military men.

That conference adopted conventions with respect to the customs of war on land, the adaption to maritime warfare of the principles of the Geneva convention of 1864, and other declarations of less importance.

The result of the conference was in a measure disappointing, but it accomplished one important work. When the delegates assembled, it became apparent that the divergence of views made difficult any agreement on most subjects, but, through the earnest efforts of the American delegates, an agreement was reached on the subject of arbitration, and a convention was signed creating a permanent court of arbitration at The Hague, which was one of the valuable achievements of that historic gathering.

While we all recognize that there are some political questions which it may not be proper to submit to The Hague Tribunal, still the conclusion of that convention is a great step in advance for the promotion of peace, as it was a recognition by the leading nations of the earth that arbitration is the best method of settling their disputes.

The second international conference of American states, representing the various republics of North, Central, and South America, adopted a convention, submitting to arbitration at The Hague all claims for pecuniary loss or damage which may be presented by their respective citizens and which can not be amicably adjusted through diplomatic channels when they are of sufficient importance to justify arbitration. That conference also unanimously agreed to a protocol giving the adhesion of the North, Central, and South American republics to The Hague conventions.

It is gratifying to us as Americans to know that our Government was the first to show to the world its faith in the efficiency and utility of The Hague Tribunal. During the Administration of President McKinley the claim of the Roman Catholic Church of the Upper California, known as "the Pious Fund claim against Mexico," accruing since 1869, was submitted for decision to the Permanent Court of Arbitration at The Hague. The decision of the court rendered in 1902 awarded to the claimants the sum of $1,420,682, and provided for the payment by Mexico perpetually of an annuity of $43,000.

This decision was a satisfactory solution of the controversy over the so-called "Pious Fund of the Californias."

Again, during the last year President Roosevelt, who had been invited to settle the controversy between three of the powerful nations of Europe and the feeble American Republic of Venezuela, declined the trust so flattering to his reputation for integrity and impartiality and referred them to the court at The Hague as an appropriate place to settle their differences. The outcome of that submission has not proved satisfactory to many of us, but the settlement there made was better than a continued resource to warlike measures. The principle announced in the award does not meet with our approval, but another case of similar character may lead to a different decision, and one adverse ruling should not destroy our confidence in the judicial method as the best means of adjusting our international controversies.

It is not the least among the deeds which distinguish the Administrations of McKinley and Roosevelt that they have always striven for peace in their relations with other rulers and sought to promote good will among the nations.

PANAMA CANAL.

The diplomatic complications which had for years stood in the way of an interoceanic canal connecting the two great oceans have been finally disposed of during the last two Republican Administrations, and the practical work of constructing the canal is about to commence under the Administration of President Roosevelt.

A canal across the Isthmus connecting the Atlantic with the Pacific Ocean, in the interest of the commerce of the world, has been the dream of the ages. For almost three-quarters of a century an interoceanic canal has been a policy of every party and almost of every Administration.

In 1850 the Clayton-Bulwer treaty was entered into between the United States and Great Britain. That treaty contemplated that the canal should be constructed by private capital under the joint protectorate of the two Governments; its effect was to prevent the United States itself from constructing the canal and having exclusive jurisdiction over it. A few years after the conclusion of the Clayton-Bulwer treaty it was found that that treaty stood almost as an effectual barrier against the construction of any canal across the Isthmus, and hence it was that almost every Administration, both Republican and Democratic, sought, but in vain, to secure its peaceful abrogation.

It remained for the McKinley-Roosevelt Administrations, through the diplomacy of Secretary Hay, to successfully negotiate the Hay-Pauncefote treaty with Great Britain, by which the Clayton-Bulwer treaty was finally superseded and the United States given authority to build a canal and assume the responsibility of safeguarding and regulating its neutral use by all the nations of the world on terms of equality.

The way was thus opened for the negotiation of a treaty with one of the two Governments which had sovereignty over the two available canal routes, Colombia or Nicaragua. Congress expressed its preference for the Panama route. A treaty with Colombia was ratified, and rejected by Colombia. The State of Panama seceded and regained her independence, and is now a complete and independent Republic. A new treaty was negotiated with Panama, much superior to the one which Colombia had rejected, which gives to the United States every concession which we desire or could ask for the construction of a canal. The property of the Panama Canal Company has been purchased. That purchase has been finally consummated, the necessary money appropriated, a commission for the actual construction of the canal appointed, and is now in Panama making the preliminary investigation.

Mr. MORGAN. May I ask the Senator by what act the money has been appropriated?

Mr. CULLOM. By the so-called "Spooner Act."

Unless something unforeseen occurs, within a few years the canal will be constructed and in operation.

Mr. President, the discussion in this Senate of the Colombian treaty and afterwards of the Panama treaty, together with all the facts in relation to the Panama revolution, its success and recognition by our Government, are so recent and fresh in our minds that I shall not discuss it further than to say that the President in dealing with Colombia has pursued an honest, straightforward, and open course, as he does in all things.

This is only another illustration of the success of the Roosevelt Administration in bringing to a triumphant termination a question which other Presidents had failed to settle.

Thus under the short three years of President Roosevelt's Administration more progress has been made toward the construction of an interoceanic canal than in three-quarters of a century of our previous history.

TRIUMPH OF OUR EASTERN DIPLOMACY.

During the past few years the situation in the Far East, and especially in China, has been a delicate and most critical one. The acquisition of Hawaii and the Philippines gives to the United States great interest in the important events transpiring in the Orient.

The United States has stood for the open door in China, and as a result of the diplomacy and influence of Secretary Hay freedom of commerce has been secured and the division of China among the powers has been prevented.

The McKinley and Roosevelt Administrations have continued the beneficent policy which in earlier years has guided our Government toward China. While we have felt it necessary to protect our country from the large labor immigration which threatened it, our action in this respect has been with the consent of China through treaty agreements and the passage of additional laws in harmony with existing treaties.

In our relations with that great Empire we have pursued a disinterested policy of disavowal of territorial aggrandizement and a disposition to respect the rights of that Government and confine our interests to the peaceful development of trade. We have not hesitated on all proper occasions to assert our influence to preserve its independence and prevent its dismemberment.

For centuries China had been a hermit nation, successfully resisting foreign influence and invasion, but gradually on one pretext or another she was compelled to open her ports, and Great Britain, Russia, and Germany had gained special advantages and exceptional privileges in portions of China, and under the guise of spheres of interest were exercising considerable control over an important part of that Empire. It seemed probable that not only would these nations absorb the trade of China, but that the Empire itself would be dismembered and divided among the powers.

To prevent this and to secure for the United States, if possible, a part of the valuable market of China, Secretary Hay advanced the so-called "open-door policy" and successfully carried it out.

In September, 1899, Secretary Hay addressed communications to the Governments of Great Britain, Russia, Germany, Italy, and

Japan, suggesting that as he understood it to be the settled policy and purpose of those countries not to use any privileges which may be granted them in China as a means of excluding any commercial rival and that freedom of trade for them in that ancient Empire means freedom of trade for all the world alike he considered that the maintenance of this policy is alike urgently demanded by the commercial communities of these several nations and that it is the only one which will improve existing conditions and extend their further operations. He further suggested that it was the desire of this Government that the interests of its citizens should not be prejudiced through exclusive treatment by any of the controlling powers within their respective spheres of interest in China and that it hopes to retain there an open market for all the world's commerce, remove dangerous sources of international irritation, promote administrative reform, etc. He accordingly suggested a declaration by each of them in regard to the treatment of foreign trade and commerce in their spheres of interest.

Without inconsiderable delay the Governments of Great Britain, Russia, Germany, Italy, and Japan replied to Secretary Hay's circular note, giving cordial and full assurance of the principles suggested by our Government.

Thus was successfully begun the since famous open-door policy of the United States in China.

But this great triumph in the interest of freedom of commerce of the world in China was followed by the famous boxer outbreak in 1900.

For some years prior to 1900 the antiforeign sentiment had been growing in China. The people of China, or a portion of them, had become so thoroughly and unreasonably incensed against foreigners that the Chinese Government seemed unable or unwilling to check the open outbreaks, which were of frequent occurrence and which finally culminated in the very serious boxer troubles. The German minister was murdered in the streets of Peking, the legations were attacked and were in a state of siege—entirely cut off from outside communications—for nearly a month.

The boxer outbreak and the siege of the legations of Peking were made the occasion of a joint international expedition for the relief of the diplomatic representatives and other foreigners whose lives were imperiled. These occurrences took place at a time when Congress was not in session and the eminence of the danger did not admit of delay. The dispatch of a division of the American Army, composed of all arms of the service, and fully equipped for a campaign was one of the most extreme acts of Executive authority in the history of the United States. But when our diplomatic representatives and scores of American citizens were besieged and threatened by an infuriated mob President McKinley did not hesitate to assume the responsibility and act with promptness. Duty and patriotism called for the immediate transfer to China of a portion of the army then in the Philippines. The hearty approval which the people of the United States gave to this prompt and courageous proceeding attested the correctness of the President's action.

In the midst of the intense excitement throughout the world, when the downfall of the Empire of China seemed almost certain, Secretary Hay, with the foresight which so distinguishes his official acts, issued a circular note on July 3, 1900, to all the powers having interest in China, stating the position of the United States, that it would be our policy to find a solution which would bring permanent safety and peace to China, preserve its territorial and administrative entity, protect all rights guaranteed by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire. This note clearly stated the fixed policy of the United States, and during that exciting period gave notice to the world that the United States would not permit the dismemberment of China.

This had not been the policy of some of the European nations, yet it was so much in harmony with the principles of international justice that it met with the approval of the world.

After relieving the legations and the suppression of the Boxer troubles by the allied powers, there followed a long negotiation between the allied powers and China; and an enormous and exorbitant demand was made by the allies as an indemnity, which China would probably never be able to pay. The representatives of the United States in this negotiation constantly intervened to reduce the demands of the great powers of Europe and cut down to a reasonable limit the enormous indemnity they were seeking to exact. Finally, on December 7, 1901, the final protocol was signed, imposing very heavy and humiliating burdens on China; and it has been the province of the United States to do what it properly could to alleviate these burdens.

Since the signing of the final protocol we have negotiated with China the most liberal commercial treaty which China has with any other foreign government.

Mr. MORGAN. Before the Senator passes from that view of the subject I wish to ask him whether or not that protocol or any other protocol signed by the Secretary of State or approved by the President has ever been laid before the Senate or before Congress for its ratification?

Mr. CULLOM. The treaty between the United States and China has been laid before the Senate and ratified.

Mr. MORGAN. I speak of the protocol.

Mr. CULLOM. I am not aware that the protocol has been submitted to the Senate.

Mr. MORGAN. Does the Senator consider that that is obligatory upon the United States, it never having been ratified by the Senate or in any wise ratified by Congress?

Mr. CULLOM. Mr. President, I should rather think it is obligatory; but still I think it ought, perhaps, to be ratified.

Mr. MORGAN. I agree with the Senator, Mr. President, that it is binding now; but I will not refer to other acts of the diplomatic department of the Government of the United States equally as binding that we have set aside as being not obligatory upon us.

Mr. CULLOM. Mr. President, it is not my purpose to discuss anything that is outside of the subject I am discussing, or any question which might be asked relative to it.

Mr. MORGAN. Very well.

Mr. CULLOM. That treaty, Mr. President, recently ratified by the Senate, has strengthened the open-door policy, removed the troublesome and uncertain system of internal taxation known as "likin," given increased privileges to our diplomatic and consular officers and to our citizens in China, and has opened as places of international trade and residence the cities of Mukden and Antung, which are just now in the possession of the Russian army. These cities are important trade centers and of considerable strategic value commercially in the province of Manchuria, in which province exclusive rights and privileges were given to Russia against the vigorous protests of the United States.

This treaty marks an important step in the modernizing of China and in the opening of that country to foreign commerce and trade.

From a commercial standpoint, the Chinese market is one of the most valuable in the world. That great country has 400,000,000 inhabitants, nearly one-fourth of the entire world, and its imports amount to more than $200,000,000 per annum. The United States has comparatively but a small part of this great market, although we have recently largely increased our trade with China.

Secretary Hay has very recently gained another diplomatic triumph in the interest of China. It had been apparent for some time that war between Russia and Japan was inevitable, and it was realized that that war might seriously impair the integrity of China and the benefits of the open-door policy.

Secretary Hay, on February 10, 1904, addressed to the Governments of Russia, Japan, and China, and to other powers interested in China, a note of the following tenor:

> It is the earnest desire of the Government of the United States that in the military operations which have begun between Russia and Japan, the neutrality of China, and in all practicable ways her administrative entity, shall be protected by both parties, and that the area of hostilities shall be localized and limited as much as possible, so that undue excitement and disturbance of the Chinese people may be prevented and the least possible loss to the commerce and peaceful intercourse of the world may be occasioned.

This measure was recognized as so wise and was so generally commended by the nations of the world that not only has it been accepted by the neutral nations, but it has been accepted by Russia and Japan themselves.

These measures of our Government respecting China are of the greatest significance and importance, because they not only tend to the peace of the world, but to preserve the extensive territory and enormous population of that Empire to the free and untrammeled trade and commerce to all countries.

Too much credit can not be given to the Administration of President Roosevelt for the splendid manner in which this delicate and complicated Chinese and Eastern question has been managed by the admirable statesmanship and diplomacy of his great Secretary of State.

The open-door policy of Secretary Hay has succeeded; an opportunity has been given to secure enlarging markets for the products of our growing industries; the territorial integrity and the complete sovereignty of the Government of China have been assured, but the Eastern problem has not yet been finally settled.

There is still serious trouble in the Far East. Russia and Japan are now in the midst of a great struggle, both on land and sea. What the result of that struggle will be no one now can foretell. Whichever nation is finally victorious, it will probably change the map of the East, and whatever its results, it will have an important bearing on the future, certainly of China and Japan, and possibly of Russia.

But it is not for me to discuss at this time the cause of that war, or to give an opinion as to whether Japan was justified in going to war with Russia.

We are at peace with both Russia and Japan. Our relations to both nations in the years gone by have been of the most amicable

and friendly character. We have never in our history had serious trouble with either nation, and there is no reason, either in the cause of that war or the character of the participants, why the United States should assume any other than a strictly neutral position.

Immediately after the outbreak of the war, on February 11, 1904, President Roosevelt issued his proclamation, declaring that war unhappily exists between Japan on the one side and Russia on the other, that the United States are on terms of friendship and amity with both the contending powers and the persons inhabiting their several dominions, and that the United States assumes a neutral position, and proclaiming the strictest rules of neutrality for the government of our nation and its people in the important conflict.

TREATIES.

An unusually large number of very important treaties have been concluded and proclaimed under the Administrations of Presidents McKinley and Roosevelt.

Under the Administration of President Roosevelt alone more than thirty treaties and international agreements have been concluded.

The most important of such treaties are the ones I have specially referred to—the Hay-Pauncefote treaty (superseding the Clayton-Bulwer treaty), the treaty with Great Britain for the settlement of the Alaskan boundary, the treaty with Panama for the construction of an interoceanic canal, the commercial treaty with China, the commercial treaty with Cuba, and the treaties negotiated at The Hague conference.

But there have been other important treaties. There have been concluded and proclaimed extradition treaties with Peru, Switzerland, Belgium, Chile, Denmark, Servia, Brazil, Guatemala, Orange Free State, Argentine Republic, Great Britain, Bolivia, and an extradition and supplementary extradition treaty with Mexico.

The supplementary extradition treaty with Mexico is specially important as providing for the extradition of bribe givers and bribe takers, a precedent thereby being established for the crime of bribery being made an extraditable offense.

President Roosevelt well said in his last annual message that there can be no crime more serious than bribery; that other offenses violate one law, while corruption strikes at the foundation of all law.

An important treaty, establishing friendly relations with Spain and containing provisions general in treaties of friendship, has been ratified and proclaimed.

Water-boundary conventions have been concluded with Mexico; property conventions with Great Britain and Guatemala; a convention with Spain for the cession to the United States of certain outlying islands in the Philippines; a trade-mark convention with Guatemala; a consular convention with Greece; a commercial convention with Ethiopia; a treaty with Mexico for the arbitration of the Pious Fund, and a number of other less important conventions and diplomatic arrangements, which I can not stop to enumerate, have in the past few years been concluded and proclaimed.

SAMOA.

An important treaty with Great Britain and Germany has been concluded, by which Great Britain retired from Samoa and Germany and Great Britain renounced in favor of the United States all claim to the island of Tutuila and its outlying islets, Germany retaining the other islands in the Samoan group.

This was the final settlement of the vexatious Samoan question, which had been handed down from previous Administrations. Internal disturbances in Samoa had long ago made it necessary for the nations to intervene in order to protect the interests of their own citizens in Samoa. Germany, Great Britain, and the United States, having the largest interests, had exercised a tripartite scheme of supervision over the Samoan Islands. This tripartite government proved to be a failure and was a constant source of annoyance to the United States. The only alternative remaining was for the United States to withdraw from the islands in order to save ourselves from greater embarrassment. This we did by the treaty I have referred to, retaining only the island on which is situated the valuable harbor of Pagopago, which is said to be the best anchorage in the Pacific and which had been leased to the United States twenty years previously by the then King of the Samoan Islands.

This was a satisfactory settlement of the Samoan question to the United States, and it disposed of a situation which might eventually have led to the most serious complications with Germany.

RECIPROCITY.

Under the third section of the Dingley tariff act, the President is given authority to make limited reciprocity arrangements with countries producing argols, spirits, champagne, wines, and painting and statuary, reducing by proclamation the duties on such articles coming to the United States in return for reciprocal concessions on our products by other countries.

Under authority of that section of the Dingley Act, the President has concluded and proclaimed reciprocity arrangements with France, Germany, Portugal, and Italy. These reciprocity arrangements now in force have in every instance materially increased our commerce with those countries, have enabled the President to prevent serious discriminations against some of our important products, and have not in the least interfered with or injured any American industry.

CONSULAR SERVICE.

Before closing I may be permitted to say a few words in commendation of our diplomatic and consular service.

Under the Administrations of Presidents McKinley and Roosevelt able men have been accredited as ambassadors and ministers to the different countries of the world, and who have been of material assistance to the Administration in conducting the foreign intercourse of the United States.

The consular service of the United States is constantly increasing in efficiency. Presidents McKinley and Roosevelt have appointed a corps of consuls to represent our commercial interests abroad who have displayed unusual ability in the discharge of the varied and important duties that consuls of the United States have to perform. In China and Central and South America the consular officers have been called upon to perform delicate and trying duties of a diplomatic character, and have discharged those duties with rare tact and ability.

I am informed by the Department of State that in detecting and preventing attempts to defraud the customs (which is a part of the duties of our consuls) one consular officer alone has increased the receipts from customs nearly $1,000,000 a year since 1898, a total of $6,000,000 in six years. There are 330 consular officers who are carrying on the same kind of work. They are for the most part equally energetic and efficient, and it is estimated that fully $10,000,000 have been saved to the revenues of the United States by the active, intelligent, and persistent efforts of our consuls abroad. It has been said that this branch of our service alone has saved about ten times its total cost to the Government.

Our consuls form a series of intelligent observers throughout the world, and their reports are often of the highest value, not only to the Government itself, in times of war, but to the manufactures of the United States by largely increasing the sale of their products abroad.

Notwithstanding the fact that there has been considerable agitation for the passage of a bill reorganizing the service, I believe that even under the present system the consular service of the United States is the equal, if not the superior, of that of any nation in the world.

CONCLUSION.

Mr. President, under the beneficent administration of Republican Presidents the Union became consolidated into one nation, and in the recent crisis through which our own nation and the nations of the world have been passing, the party of Lincoln and Grant and Blaine and McKinley and Roosevelt is still faithful to duty and manifests the wisdom and statesmanship necessary to meet every emergency and wisely dispose of all questions with an eye single to the welfare of the people, the stability of the Union and the good of mankind.

The Republican party has not been unmindful of the teachings of its great leaders on the essential principles of its organization.

The nation is no longer a house divided against itself; it has followed the teachings of the Father of his Country in being mindful of our relations with foreign countries, in adopting the policy of extending our commercial relations with as little political connection as possible.

That great and wise patriot warned the people of the United States, in his Farewell Address, against "interweaving our destiny with that of any part of Europe, of entangling our peace and prosperity in the toils of European ambition, rivalship, interests, honor, or caprice." We are exhorted to "steer clear of permanent alliances with any portion of the foreign world."

Mr. President, in the conduct of our foreign relations we have followed the advice of the first President in his Farewell Address.

The policy of this nation now is and ought to be absolute neutrality between the nations of the world, whether at peace or at war, honest and straightforward in our intercourse with all.

The struggle now going on between Russia and Japan is a calamity which the nations greatly regret, and all the nations would rejoice if that war would cease, and I am sure this Government would gladly do anything possible, by the consent of the contending powers, to effect a settlement on fair terms to each.

Mr. President, I have no authority to speak for the Republican party or for the Republican Administration—I speak only for myself—but I believe I voice the judgment of both the people and our Administration when I say they are for peace with all the

nations and are not in favor of a policy of aggression in order to secure expansion of territory in any direction.

The policy of Washington is the policy of the Republican party.

In this campaign year, on the one hundred and twenty-third year of our constitutional history, it is well to look seriously about us, and in the confidence of the people do our whole duty by the nation intrusted for the time being to our care.

Mr. President, a word about our President and Secretary of State. In guiding and caring for the interests of the country the nation is in safe and able hands; never in our history has the nation been more fortunate. Our President is always on the alert, never permitting any advantage to be gained over the United States, but always just to other nations and interests. With Theodore Roosevelt as President and John Hay as Secretary of State the people may rest in the assurance that our international rights will be cared for, the honor of the nation well guarded, and, so far as our interests may be affected by our foreign policy, they will be wisely conserved.

Mr. MORGAN obtained the floor.

The PRESIDENT pro tempore. Will the Senator from Alabama pardon the Chair for a moment?

Mr. MORGAN. Certainly.

LIGHT-HOUSE AT CAPE HATTERAS, NORTH CAROLINA.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, returned by the House of Representatives in compliance with the request of the Senate. If there be no objection, the bill will be indefinitely postponed. The Chair hears none.

HOUSE BILL REFERRED.

The bill (H. R. 15122) for the extension of School street southward to Kenesaw avenue, and for other purposes, was read twice by its title on motion of Mr. CLAPP, and referred to the Committee on the District of Columbia.

WILLIAM W. WHEELER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of William W. Wheeler *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

POST-OFFICE BUILDING AT PORTLAND, OREG.

The PRESIDENT pro tempore. On yesterday, in the order to print the papers relating to the leasing and fitting up of a temporary post-office building at Portland, Oreg., the Chair did not order the printing of the illustrations accompanying the communication. If there be no objection, he will do so now. The Chair hears none.

ORDER OF BUSINESS.

Mr. KEAN. I rise to morning business. From the Committee to Audit and Control the Contingent Expenses of the Senate I wish to report favorably four resolutions authorizing the employment of messengers by four different committees of the Senate which have no messengers at the present time.

Mr. MORGAN. Mr. President, what is the order of business?

The PRESIDENT pro tempore. Morning business.

Mr. MORGAN. What part of it?

The PRESIDENT pro tempore. The Chair is going to recognize the Senator from Colorado [Mr. TELLER] as soon as the regular morning business is disposed of.

Mr. MORGAN. What part of the morning business is in order, if the Chair will allow me?

The PRESIDENT pro tempore. Petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. MALLORY presented a memorial of the Building and Trades Council, American Federation of Labor, of Jacksonville, Fla., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that the management of forest reserves and all forests upon Government land be vested in the Bureau of Forestry, Department of Agriculture; which was referred to the Committee on Public Lands.

He also presented petitions of the Band of Hope of Eureka; of the congregation of the Methodist Episcopal Church of Ferndale; of Independence Lodge, Independent Order of Good Templars, of Blue Lake; of the congregation of the Methodist Episcopal Church of Blue Lake; of the congregation of the First Congregational Church of Humboldt County, and of the congregation of the Congregational Church of Hydesville, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of the Northwestern Lumbermen's Association, praying for the enactment of legislation to prevent unjust discrimination of traffic rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of Labor Union No. 131, United Brotherhood of Carpenters and Joiners, of Seattle, Wash., praying for the enactment of legislation to develop teh American merchant marine; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Tacoma, Wash., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

He also presented a petition of Mount Pleasant Grange, Patrons of Husbandry, of Mount Pleasant, Wash., praying for the enactment of legislation to provide for increased appropriations for State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented a petition of Shirt and Laundry Workers' Local Union, American Federation of Labor, of Buffalo, N. Y., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Relief Corps of New York City, praying for the enactment of legislation to increase the pensions of army nurses; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Relief Corps of Mexico, N. Y., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of the State of New York, praying for the enactment of legislation to purchase a national forest reserve in the White Mountains of New Hampshire; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Chatham, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Century Art Club, of Jamestown, N. Y., and a petition of the Rochester Art Club, of Rochester, N. Y., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which were referred to the Committee on Appropriations.

Mr. FULTON presented a memorial of sundry citizens of Portland, Oreg., relative to a settlement of the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of West Side Monday Club, of Beloit; of Ruth N. Angell, of Sun Prairie, and of sundry citizens of La Valle, all in the State of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of the congregation of the First Baptist Church of Forest City, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of De Soto Council, No. 315, Knights of Columbus, of Philadelphia, Pa., praying that an appropriation of $50,000 be made for the erection of a statue of Commodore John Barry at Washington, D. C.; which was ordered to lie on the table.

He also presented a petition of the congregation of the Westminster Presbyterian Church of Wilkesbarre, Pa., and a petition of the Woman's Association of Philadelphia, Pa., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which were ordered to lie on the table.

He also presented a petition of the Pittsburg and Allegheny Indian Association of the State of Pennsylvania, praying for the enactment of legislation granting lands in severalty to the landless Indians of northern California; which was referred to the Committee on Public Lands.

He also presented a petition of Rear-Admiral Henry F. Picking Naval Garrison, No. 4, Army and Navy Union, of Erie, Pa., praying that an appropriation of $10,000 be made to erect a memorial at that city to perpetuate the memory of Capt. Charles Vernon Gridley and First Lieut. John P. V. Gridley; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Southern District Convention, Order of United American Mechanics, of Harrisburg, Pa., and of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of William Platt Pepper, of Philadelphia, Pa., praying an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of

Utah; which was referred to the Committee on Privileges and Elections.

He also presented a paper to accompany the bill (S. 5588) to grant jurisdiction and authority to the Court of Claims in the case of Milton S. Johnson; which was referred to the Committee on Claims.

He also presented a memorial of the Irish-American Club of Wilkesbarre, Pa., remonstrating against the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the District of Columbia Society, Sons of the American Revolution, of Washington, D. C., praying for the enactment of legislation providing for the printing of a work published by the Government of the Republic of France, containing valuable historical information of the soldiers of France who assisted in establishing American independence; which was referred to the Committee on Printing.

Mr. FRYE presented a petition of the Live Stock Exchange of Chicago, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Tuesday Club of Oakland, Me., and a petition of the Berwick Woman's Club, of South Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

REPUBLIC OF CUBA.

Mr. PLATT of Connecticut. I have a communication addressed to me by Col. Clarence R. Edwards, United States Army, Chief of the Bureau of Insular Affairs, of the War Department, transmitting a compilation prepared in that bureau setting forth in detail the documentary history of the inauguration of the Cuban Republic, and also a brief but comprehensive review of the administration of the government of intervention in Cuba under military occupation. It is sent to me with the request that it be printed as a document. I move that the communication and accompanying paper be printed as a document.

The motion was agreed to.

TRANSPORTATION OF INTOXICATING LIQUORS.

Mr. GALLINGER. I present a statement prepared by Edwin C. Dinwiddie, legislative superintendent of the American Anti-Saloon League, in support of the Hepburn-Dolliver bill, relating to the interstate transportation of intoxicating liquors. I move that the statement be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3042) to amend an act relating to the sale of gas in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CLARK of Wyoming, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect, reported it with amendments, and submitted a report thereon.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (S. 4848) to amend section 552 of the Code of Laws for the District of Columbia, relating to incorporation, reported it without amendment, and submitted a report thereon.

EMPLOYMENT OF MESSENGERS.

Mr. KEAN. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report the resolution submitted by the Senator from Kansas [Mr. LONG] on the 23d instant. I will state that this and the three following resolutions are to provide for messengers to committees which now have no messengers. I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the University of the United States be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. BALL on the 22d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Ventilation and Acoustics be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. ALLEE on the 20th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Depredations be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided for by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. SMOOT on the 26th instant, submitted it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Select Committee on Standards, Weights, and Measures be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

OKLAHOMA SCHOOL BONDS.

Mr. KEAN. From the Committee on Territories, to whom was referred the bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes, I report it favorably, and ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MALLORY. I wish to inquire whether this is a House bill?

Mr. KEAN. It is a House bill.

Mr. MALLORY. Reported by what committee?

Mr. KEAN. The Committee on Territories. I will state that the only change is that the present law provides that the Territory shall not issue bonds bearing interest at a higher rate than 4 per cent, and at that rate they are unable to sell the bonds.

Mr. MALLORY. Has the Territorial legislature asked for the passage of the bill?

Mr. KEAN. I do not know about that, but the Delegate has.

Mr. MALLORY. This is a bill, then, originating in Congress and is not the ratification of an act which has passed the Territorial legislature?

Mr. KEAN. I do not understand that it is. It merely authorizes the school districts, when they comply with the existing law, to borrow money at a greater rate of interest than 4 per cent. That is all there is in the bill.

Mr. MALLORY. At a greater rate than 4 per cent?

Mr. KEAN. At a greater rate than 4 per cent.

Mr. BATE. But not to exceed 6 per cent.

Mr. KEAN. And not to exceed 6 per cent. That is all there is in the bill.

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

ANNA R. WIDMAYER AND EDGAR H. BATES.

Mr. DILLINGHAM, from the Committee on the District of Columbia, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2303) entitled "A bill for the relief of Anna R. Widmayer and Edgar H. Bates," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

E. G. RATHBONE.

Mr. PLATT of Connecticut. I wish to make a report from the Committee on Cuban Relations. There was referred to it the petition of E. G. Rathbone, asking that his conduct as an official in Cuba might be investigated by the committee, as also the circumstances of his trial there. In considering it the committee find two preliminary questions—questions of law: First, whether this Congress has any jurisdiction of the subject, and, second, if it has, whether any relief can be afforded in case the allegations of the petition should be found to be true. The committee have therefore instructed me to ask that it be discharged from the further consideration of the subject, and that the petition, with all the exhibits which have been filed with the committee, may be referred to the Committee on the Judiciary.

Mr. HOAR. I do not wish to interpose an objection nor to ask at this time for an explanation or debate; but I desire to say that in letting this reference go I do not want to have the Judiciary Committee precluded by what may be claimed to be a judgment of the Senate as to whether they are the proper tribunal to investigate this matter. I therefore, with that caveat, will allow the matter to pass.

Mr. TELLER. Mr. President, I wish to say a word in reply to what the Senator from Massachusetts has said. I believe it was the consensus of opinion on the part of the members of the committee which considered this matter yesterday that the committee could not take it up, and we knew of no way of granting the relief if we did. It was suggested, and I think with great propriety, that it should go to the Judiciary Committee, not so much, per-

haps, to take up this case as to see whether some law could not be provided for such cases if they should arise in the future. I think that was the real purpose of the committee in reporting in favor of sending the matter to the Judiciary Committee.

Mr. HOAR. I do not understand the Senator to claim that it is a matter which had better be discussed at great length now?

Mr. TELLER. Oh, no.

Mr. HOAR. So I say, let the reference be made; but if the Judiciary Committee find that it is not a matter about which the committee can do anything, I do not want to have them precluded by an order of the Senate.

Mr. TELLER. I understand this order is like any other. The committee will take up the subject and consider whether they will do anything with it. They will not do anything of course at this session.

The PRESIDENT pro tempore. The Senator from Connecticut, from the Committee on Cuban Relations, asks that the committee be discharged from the further consideration of the petition to which he has referred, and that the petition and the accompanying papers be referred to the Committee on the Judiciary. It will be so ordered, in the absence of objection.

JULIA A. HENDERSON.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10077) granting a pension to Julia A. Henderson, to report it without amendment; and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Interior to place on the pension roll the name of Julia A. Henderson, widow of George W. Doty, late captain, United States Navy, and pay her a pension at the rate of $30 per month.

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

DISEASES OF CATTLE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle, to report it without amendment, and I ask unanimous consent for its present consideration.

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

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

VENEZUELAN ARBITRATIONS.

Mr. PLATT of New York. I am instructed by the Committee on Printing to report a resolution, and I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Department of State 250 copies of the report of the recent Venezuelan arbitrations, prepared by Jackson H. Ralston, umpire of the Italian-Venezuelan Mixed Claims Commission, for the Department of State.

PROTECTION OF FOREST RESERVES AND NATIONAL PARKS.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game, I report back without amendment the bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States; and I ask for its present consideration.

The Secretary read the bill.

Mr. TELLER. That presents a very important constitutional question as to the jurisdiction over some of the reserves in this country, and the bill ought not to be taken up at this time. I do not know from what committee it comes.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game.

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

Mr. TELLER. I wish simply to say that I have no objection to giving for this purpose all the power the Constitution will authorize us to give, but on some of the reservations this is to be done absolutely without the assent of the State, and the criminal jurisdiction is entirely under the State.

Mr. DEPEW. I will say in just a word that the bill passed the House unanimously, and it is a bill which came from the Department of the Interior, I understand.

Mr. TELLER. It does not add any weight to it that it came from the Department of the Interior.

GEORGE G. LOVETT.

Mr. BLACKBURN. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3440) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865, to report it favorably without amendment.

Mr. PENROSE. I ask for the present consideration of the bill just reported.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, directed, and instructed to place on the roll as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion, the name of George G. Lovett, from March 3, 1865, until August 3, 1865, or the discharge of said Company K, and that the said George G. Lovett, captain of Company K, shall have the same pay and allowance and emoluments as if he had been in active command, and that any military trial, court-martial, or other causes that may have debarred the said Capt. George G. Lovett from service in the interval from March 3, 1865, until the discharge and muster out of his company and regiment on August 3, 1865, be, and the same is hereby, declared null and void, and that the said Capt. George G. Lovett is hereby restored to his former status as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers.

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

There being no objection, the bill was considered as in Committee of the Whole.

Mr. COCKRELL. There is always one clause that is put in such bills, "that no pay, bounty, or other emoluments shall accrue by virtue of this act."

Mr. BLACKBURN. It is the pay clause to which the Senator alludes.

Mr. COCKRELL. Yes.

Mr. BLACKBURN. Let that go out. The Senator from Pennsylvania does not object.

Mr. COCKRELL. That is the universal rule.

Mr. BLACKBURN. We want to conform to the rule.

The PRESIDENT pro tempore. The Senator from Kentucky proposes to strike out the clause which will be read.

The SECRETARY. It is proposed to strike out, beginning in line 9, the following:

And that the said George G. Lovett, captain of Company K, shall have the same pay, allowance, and emoluments as if he had been in active command.

The amendment was agreed to.

Mr. COCKRELL. Then I move to add at the end the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

That makes it correspond with all the other bills of this kind.

Mr. BLACKBURN. There is no objection to that.

The amendment was 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.

REFERENCE OF CLAIMS TO THE COURT OF CLAIMS.

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

A bill (S. 49) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Mo.;

A bill (S. 115) for the relief of the trustees of the Methodist Episcopal Church of Winfield, W. Va.;

A bill (S. 116) for the relief of the trustees of the Methodist Episcopal Church South, of Winfield, W. Va.;

A bill (S. 117) for the relief of the trustees of the Methodist Episcopal Church South, of Guyandotte, W. Va.;

A bill (S. 226) for the relief of the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala.;

A bill (S. 230) for the relief of the trustees of the Methodist Episcopal Church of Newhaven, Ky.;

A bill (S. 231) for the relief of the trustees of the Christian Church of Nicholasville, Ky.;

A bill (S. 633) for the relief of the trustees of the Cedar Run Baptist Church, of Culpeper County, Va.;

A bill (S. 634) for the relief of the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va.;

A bill (S. 635) for the relief of the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va.;

A bill (S. 637) for the relief of the trustees of the Christian Church of Fredericksburg, Va.;

A bill (S. 640) for the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.;

A bill (S. 641) for the relief of the trustees of the Grove Presbyterian Church, of Morrisville, Va.;

A bill (S. 642) for the relief of the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va.;

A bill (S. 643) for the relief of the trustees of Fletcher Chapel, in King George County, Va.;

A bill (S. 644) for the relief of the trustees of the Colored Methodist Episcopal Church of Winchester, Va.;

A bill (S. 645) for the relief of the trustees of the Presbyterian Church of Highland County, Va.;

A bill (S. 646) for the relief of the First Baptist Church of Alexandria, Va.;

A bill (S. 647) for the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.;
A bill (S. 648) for the relief of the trustees of the Methodist Episcopal Church South, of Fredericksburg, Va.;
A bill (S. 649) for the relief of the trustees of the Methodist Episcopal Church South, of Morrisville, Va.;
A bill (S. 650) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.;
A bill (S. 651) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.;
A bill (S. 738) for the relief of the trustees of the First Baptist Church of Jefferson City, Mo.;
A bill (S. 756) for the relief of the trustees of the Baptist Church of Gauley Bridge, W. Va.;
A bill (S. 757) for the relief of the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va.;
A bill (S. 758) for the relief of the trustees of the Baptist Church of Charlestown, W. Va.;
A bill (S. 806) for the relief of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn.;
A bill (S. 863) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.;
A bill (S. 864) for the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.;
A bill (S. 865) for the relief of the trustees of the German Reformed Church of Middletown, Md.;
A bill (S. 866) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.;
A bill (S. 867) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.;
A bill (S. 868) for the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.;
A bill (S. 913) for the relief of the trustees of the African Methodist Episcopal Church, of Marietta, Ga.:
A bill (S. 1384) for the relief of the University of the State of Missouri;
A bill (S. 1466) for the relief of the trustees of the Emory Methodist Episcopal Church South and of the Methodist Episcopal Church, Washington district, Baltimore conference;
A bill (S. 1534) for the relief of the trustees of the Methodist Episcopal Church of Springfield, Mo.;
A bill (S. 1535) for the relief of the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo.;
A bill (S. 1552) for the relief of the trustees of the Baptist Church of Redbanks, Miss.;
A bill (S. 1610) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.;
A bill (S. 1611) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.;
A bill (S. 1632) for the relief of the Catholic Church of Brownsville, Tex.;
A bill (S. 1637) for the relief of the trustees of the Baptist Church of Columbia, Ky.;
A bill (S. 1668) for the relief of Elk Branch Presbyterian Church, of Jefferson County, W. Va.;
A bill (S. 1669) for the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.;
A bill (S. 1670) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.;
A bill (S. 1672) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.;
A bill (S. 1673) for the relief of the trustees of St. John's Catholic Church, of Summerville, W. Va.;
A bill (S. 1674) for the relief of the trustees of the Methodist Episcopal Church of Mill Creek, W. Va.;
A bill (S. 1677) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.;
A bill (S. 1709) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.;
A bill (S. 2025) for the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.;
A bill (S. 2413) for the relief of the vestry and wardens of St. James Church, of Wilmington, N. C.;
A bill (S. 2522) for the relief of the trustees of the Free Church of Burlington, W. Va.;
A bill (S. 2583) to compensate A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va.;
A bill (S. 2639) for the relief of the New Hope Madison Church;
A bill (S. 2640) for the relief of the Presbyterian Church of Batesville, Miss.;
A bill (S. 2759) for the relief of Mount Oliver Protestant Methodist Church, of Alexandria County, Va.;
A bill (S. 2760) for the relief of the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va.;
A bill (S. 2761) for the relief of the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va.;
A bill (S. 2762) for the relief of the vestry of St. Paul's Episcopal Church, of Culpeper County, Va.;
A bill (S. 2763) for the relief of the trustees of Berea Baptist Church, of Stafford County, Va.;
A bill (S. 2764) for the relief of Andrews Chapel, of Stafford County, Va.;
A bill (S. 2765) for the relief of the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va.;
A bill (S. 2766) for the relief of the trustees of Black Lick Church, in Fairfax County, Va.;
A bill (S. 2767) for the relief of the Culpeper Baptist Church, at Culpeper, Va.;
A bill (S. 2768) for the relief of the trustees of Calvary Protestant Episcopal Church;
A bill (S. 2769) for the relief of the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va.;
A bill (S. 2770) for the relief of the vestry of St. Mark's Episcopal Church, Fairfax County, Va.;
A bill (S. 2771) for the relief of the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va.;
A bill (S. 2772) for the relief of the trustees of Hartwood Presbyterian Church, of Stafford County, Va.;
A bill (S. 2773) for the relief of the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va.:
A bill (S. 2774) for the relief of the trustees of Union Church, of Falmouth, Stafford County, Va.;
A bill (S. 2775) for the relief of the trustees of Broad Run Baptist Church;
A bill (S. 2776) for the relief of the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va.;
A bill (S. 2777) for the relief of the vestry of the Episcopal Church of Remington, Fauquier County, Va.;
A bill (S. 2778) for the relief of the trustees of the Methodist Episcopal Church South, of Marshall, Va.;
A bill (S. 2779) for the relief of the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va.;
A bill (S. 2780) for the relief of the Presbyterian Church at Warrenton, Va.;
A bill (S. 2781) for the relief of the vestry of Lambs Creek Protestant Episcopal Church;
A bill (S. 2782) for the relief of the trustees of Round Hill Church, of King George County, Va.;
A bill (S. 2783) for the relief of Pohick Church, in Fairfax County, Va.;
A bill (S. 2784) for the relief of the vestry of St. Paul's Episcopal Church, of Alexandria, Va.;
A bill (S. 3005) for the relief of the trustees of the Presbyterian Church of Beverly, W. Va.;
A bill (S. 3006) for the relief of the trustees of the Presbyterian Church of Hardy County, W. Va.;
A bill (S. 3056) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va.;
A bill (S. 3057) for the relief of the St. Thomas Episcopal Church, of Middletown, Frederick County, Va.;
A bill (S. 3058) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va.;
A bill (S. 3059) for the relief of the Methodist Episcopal Church of Middletown, Frederick County, Va.;
A bill (S. 3200) for the relief of the trustees of Trinity Episcopal Church, of Martinsburg, W. Va.;
A bill (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn.;
A bill (S. 3215) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.;
A bill (S. 3241) for the relief of the Primitive Baptist Church (colored), of Huntsville, Ala.;
A bill (S. 3402) for the relief of Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va.;
A bill (S. 3450) for the relief of the First Presbyterian Church of Knoxville, Tenn.;
A bill (S. 3472) for the relief of the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va.:
A bill (S. 3581) for the relief of the trustees of the Methodist Church of Prospect, Tenn.;
A bill (S. 3585) for the relief of the trustees of the Presbyterian Church at Strawberry Plains, Tenn.;
A bill (S. 3586) for the relief of the trustees of Mill Creek Baptist Church, of Davidson County, Tenn.;
A bill (S. 3587) for the relief of Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn.;
A bill (S. 3590) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.;
A bill (S. 3591) for the relief of the trustees of the Cumberland Presbyterian Church, of Charleston, Tenn.;

A bill (S. 3592) for the relief of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.;

A bill (S. 3643) for the relief of the trustees of the Baptist Church of Pine Bluff, Ark.;

A bill (S. 3708) for the relief of the St. James Episcopal Church, Marietta, Ga.;

A bill (S. 3745) for the relief of the Presbyterian Church of Lovettsville, Va.;

A bill (S. 3746) for the relief of Salem Baptist Church, of Clarke County, Va.;

A bill (S. 3748) for the relief of the Mount Zion Church of United Brethren, of Frederick County, Va.;

A bill (S. 3940) for the relief of the trustees of the Old School Presbyterian Church, of Helena, Ark.;

A bill (S. 4012) for the relief of the trustees of the Missionary Baptist Church, at Gravelly Springs, Ala.;

A bill (S. 4013) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Va.;

A bill (S. 4355) for the relief of the Methodist Church of Kossuth, Miss.;

A bill (S. 4411) for the relief of the trustees of the Presbyterian Church of Smyrna, Tenn.;

A bill (S. 4422) for the relief of the Methodist Episcopal Church South, of Clarksburg, W. Va.;

A bill (S. 4642) for the relief of the trustees of the Christian Church of Pleasant Hill, Cass County, Mo.;

A bill (S. 4700) for the relief of the trustees of the Missionary Baptist Church, of Waterloo, Ala.;

A bill (S. 4707) for the relief of the Baptist Church at Williamsburg, Va.;

A bill (S. 4724) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charlestown, W. Va.;

A bill (S. 4763) for the relief of the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga.;

A bill (S. 4830) for the relief of the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run, Fauquier County, Va.;

A bill (S. 4870) for the relief of the trustees of the Christian Church of Danville, Ky.;

A bill (S. 4871) for the relief of the trustees of the Baptist Church at Somerset, Ky.;

A bill (S. 4994) for the relief of the trustees of the Methodist Episcopal Church South, of Springfield, Mo.;

A bill (S. 5017) for the relief of the Methodist Episcopal Church South, of Cleveland, Tenn.;

A bill (S. 5020) for the relief of Humboldt Female College, of Gibson County, Tenn.;

A bill (S. 5021) for the relief of the Cumberland Presbyterian Church of Tullahoma, Tenn.;

A bill (S. 5286) for the relief of the Methodist Episcopal Church South, of Bryantsville, Ky.;

A bill (S. 5301) for the relief of the Christian Church of Corinth, Miss.;

A bill (S. 5347) for the relief of the trustees of Smiths Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Episcopal Church), of Dinwiddie County, Va.;

A bill (S. 5360) to compensate the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865;

A bill (S. 5389) for the relief of the trustees of the Wytheville Presbyterian Church, Wytheville, Va.; and

A bill (S. 5631) for the relief of the Presbyterian Church and Masonic Hall, of Platte City, Mo.—

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

Resolved, That the claims of the trustees of the Methodist Episcopal Church South of Warrenton, Mo. (S. 49); the trustees of the Methodist Episcopal Church of Winfield, W. Va. (S. 115); the trustees of the Methodist Episcopal Church South of Winfield, W. Va. (S. 116); the trustees of the Methodist Episcopal Church South of Guyandotte, W. Va. (S. 117); the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala. (S. 226); the trustees of the Methodist Episcopal Church of Newhaven, Ky. (S. 230); the trustees of the Christian Church of Nicholasville, Ky. (S. 231); the trustees of the Cedar Run Baptist Church, of Culpeper County, Va. (S. 633); the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va. (S. 634); the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va. (S. 635); the trustees of the Christian Church of Fredericksburg, Va. (S. 637); the trustees of the Opequon Presbyterian Church, of Kernstown, Va. (S. 640); the trustees of the Grove Presbyterian Church, of Morrisville, Va. (S. 641); the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va. (S. 642); the trustees of Fletcher Chapel, in King George County, Va. (S. 643); the trustees of the Colored Methodist Episcopal Church, of Winchester, Va. (S. 644); the trustees of the Presbyterian Church of Highland County, Va. (S. 645); the First Baptist Church of Alexandria, Va. (S. 646); the wardens and vestrymen of Old Merchants Hope Episcopal Church, of Prince George County, Va. (S. 647); the trustees of the Methodist Episcopal Church South of Fredericksburg, Va. (S. 648); the trustees of the Methodist Episcopal Church South of Morrisville, Va. (S. 649); the trustees of Mount Holly Baptist Church, of Fauquier County, Va. (S. 650); the trustees of New Salem Baptist Church, of Culpeper County, Va. (S. 651); the trustees of the First Baptist Church of Jefferson City, Mo. (S. 738); the trustees of the Baptist Church of Gauley Bridge, W. Va. (S. 756); the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va. (S. 757); the trustees of the Baptist Church of Charlestown, W. Va. (S. 758); Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn. (S. 806); the trustees of the United Brethren Church of Boonsboro, Md. (S. 863); La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md. (S. 864); the trustees of the German Reformed Church of Middletown, Md. (S. 865); the trustees of the Methodist Episcopal Church of Frederick County, Md. (S. 866); the trustees of the Methodist Episcopal Church of Boonsboro, Md. (S. 867); the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md. (S. 868); the trustees of the African Methodist Episcopal Church, of Marietta, Ga. (S. 913); the University of the State of Missouri (S. 1384); the trustees of the Emory Methodist Episcopal Church South, and of the Methodist Episcopal Church, Washington district, Baltimore Conference (S. 1466); the trustees of the Methodist Episcopal Church of Springfield, Mo. (S. 1534); the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo. (S. 1535); the trustees of the Baptist Church of Red Banks, Miss. (S. 1552); the trustees of the Baptist Church of Crab Orchard, Ky. (S. 1610); the trustees of the Colored Baptist Church, of Lebanon, Ky. (S. 1611); the Catholic Church of Brownsville, Tex. (S. 1632); the trustees of the Baptist Church of Columbia, Ky. (S. 1637); Elk Branch Presbyterian Church, of Jefferson County, W. Va. (S. 1668); the trustees of the Methodist Protestant Church of Middleway, W. Va. (S. 1669); the trustees of the Methodist Episcopal Church of Summit Point, W. Va. (S. 1670); the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va. (S. 1672); the trustees of St. John's Catholic Church, of Summerville, W. Va. (S. 1673); the trustees of the Methodist Episcopal Church of Mill Creek, W. Va. (S. 1674); the trustees of the Methodist Church of Charlestown, W. Va. (S. 1677); the trustees of the Methodist Episcopal Church South of Fox Hill, Va. (S. 1709); the trustees of the Methodist Episcopal Church South of Harrisonville, Mo. (S. 2025); the vestry and wardens of St. James Church, of Wilmington, N. C. (S. 2413); the trustees of the Free Church of Burlington, W. Va. (S. 2522); A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va. (S. 2583); the New Hope Madison Church (S. 2639); the Presbyterian Church of Batesville, Miss. (S. 2640); Mount Olivet Protestant Methodist Church, of Alexandria County, Va. (S. 2759); the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va. (S. 2760); the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va. (S. 2761); the vestry of St. Paul's Episcopal Church, of Culpeper County, Va. (S. 2762); the trustees of Berea Baptist Church, of Stafford County, Va. (S. 2763); Andrews Chapel, of Stafford County, Va. (S. 2764); the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va. (S. 2765); the trustees of Black Lick Church, in Fairfax County, Va. (S. 2766); the Culpeper Baptist Church, at Culpeper, Va. (S. 2767); the trustees of Calvary Protestant Episcopal Church (S. 2768); the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va. (S. 2769); the vestry of St. Mark's Episcopal Church, of Fairfax County, Va. (S. 2770); the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va. (S. 2771); the trustees of Hartwood Presbyterian Church, of Stafford County, Va. (S. 2772); the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va. (S. 2773); the trustees of Union Church, of Falmouth, Stafford County, Va. (S. 2774); the trustees of Broad Run Baptist Church (S. 2775); the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va. (S. 2776); the vestry of the Episcopal Church of Remington, Fauquier County, Va. (S. 2777); the trustees of the Methodist Episcopal Church South, of Marshall, Va. (S. 2778); the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va. (S. 2779); the Presbyterian Church at Warrenton, Va. (S. 2780); the vestry of Lambs Creek Protestant Episcopal Church (S. 2781); the trustees of Round Hill Church, of King George County, Va. (S. 2782); Pohick Church, in Fairfax County, Va. (S. 2783); the vestry of St. Paul's Episcopal Church, of Alexandria, Va. (S. 2784); the trustees of the Presbyterian Church of Beverly, W. Va. (S. 3005); the trustees of the Presbyterian Church of Hardy County, W. Va. (S. 3006); the Presbyterian Church of Strasburg, Shenandoah County, Va. (S. 3056); the St. Thomas Episcopal Church, of Middletown, Frederick County, Va. (S. 3057); the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va. (S. 3058); the Methodist Episcopal Church of Middletown, Frederick County, Va. (S. 3059); the trustees of Trinity Episcopal Church, of Martinsburg, W. Va. (S. 3200); the Germantown Baptist Church, of Shelby County, Tenn. (S. 3214); the trustees of the Baptist Church of Jefferson City, Tenn. (S. 3215); the Primitive Baptist Church, colored, of Huntsville, Ala. (S. 3241); Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va. (S. 3402); the First Presbyterian Church, of Knoxville, Tenn. (S. 3450); the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va. (S. 3472); the trustees of the Methodist Church of Prospect, Tenn. (S. 3581); the trustees of the Presbyterian Church at Strawberry Plains, Tenn. (S. 3585); the trustees of Mill Creek Baptist Church, of Davidson County, Tenn. (S. 3586); Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn. (S. 3587); the trustees of the Cumberland Presbyterian Church of Clarksville, Tenn. (S. 3590); the trustees of the Cumberland Presbyterian Church of Charleston, Tenn (S. 3591); the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn. (S. 3592); the trustees of the Baptist Church of Pine Bluff, Ark. (S. 3643); the St. James Episcopal Church, Marietta, Ga. (S. 3708); the Presbyterian Church of Lovettsville, Va. (S. 3745); Salem Baptist Church, of Clarke County, Va. (S. 3746); the Mount Zion Church of United Brethren, of Frederick County, Va. (S. 3748); the trustees of the Old School Presbyterian Church, of Helena, Ark. (S. 3940); the trustees of the Missionary Baptist Church of Gravelly Springs, Ala. (S. 4012); the trustees of the Methodist Episcopal Church South, of Warrenton, Va. (S. 4013); the Methodist Church of Kossuth, Miss. (S. 4355); the trustees of the Presbyterian Church of Smyrna, Tenn. (S. 4411); the Methodist Episcopal Church South, of Clarksburg, W. Va. (S. 4422); the trustees of the Christian Church of Pleasant Hill, Cass County, Mo. (S. 4642); the trustees of the Missionary Baptist Church of Waterloo, Ala. (S. 4700); the Baptist Church at Williamsburg, Va. (S. 4707); Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charles Town, W. Va. (S. 4724); the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga. (S. 4763); the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run Parish, Fauquier County, Va. (S. 4830); the trustees of the Christian Church of Danville, Ky. (S. 4870); the trustees of the Baptist Church at Somerset, Ky. (S. 4871); the trustees of the Methodist Episcopal Church South, of Springfield, Mo. (S. 4994); the Methodist Episcopal Church South, of Cleveland, Tenn. (S. 5017); Humboldt Female College, of Gibson County, Tenn. (S. 5020); the Cumberland Presbyterian Church, of Tullahoma, Tenn. (S. 5021); the Methodist Episcopal Church South, of Bryantsville, Ky. (S. 5286); the Christian Church of Corinth, Miss. (S. 5301); the trustees of Smith's Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Church), of Dinwiddie County, Va. (S. 5347); the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865 (S. 5360); the trustees of the Wytheville Presbyterian Church, Wytheville, Va. (S. 5389); the Presbyterian Church and Masonic Hall of Platte City, Mo. (S. 5631), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act." And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

REGULATION OF IMMIGRATION.

Mr. LODGE. From the Committee on Immigration, in behalf of the chairman, I report a joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, and I ask for its present consideration.

The joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the words "Secretary of the Treasury," wherever used in the act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, or in amendments thereto, or in prior acts in relation to alien immigration, be stricken out and the words "Secretary of Commerce and Labor" inserted in lieu thereof.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection to the consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

HENRY PHILIPPS SEED AND IMPLEMENT COMPANY.

Mr. HANSBROUGH. I am authorized by the Committee on Agriculture and Forestry, to whom was referred the bill (S. 5544) to authorize payment to the Henry Philipps Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902, to report it favorably without amendment.

Mr. FORAKER. That is a very short bill of only six or eight lines, and I ask for its present consideration.

The Secretary read the bill.

Mr. NELSON. I desire to ask a question about the bill.

The PRESIDING OFFICER. Is there objection to its present consideration?

Mr. NELSON. Before I make an objection I wish to know whether it relates to a case that is now pending in the courts.

Mr. FORAKER. No; not at all.

Mr. NELSON. It is not a case that is in court.

Mr. FORAKER. No.

Mr. NELSON. There is a suit pending in reference to some seeds procured by the Agricultural Department.

Mr. FORAKER. This has nothing to do with anything of that kind, so far as I know.

Mr. NELSON. Is there a letter recommending it?

Mr. FORAKER. There is a letter from the Secretary of Agriculture recommending that this amount be paid.

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

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to the Henry Philipps Seed and Implement Company, of Toledo, Ohio, for seeds furnished to the Department of Agriculture during the fiscal year 1902, accepted by the Department, and distributed by order of the Secretary of Agriculture, $3,633.11.

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

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 5662) granting an increase of pension to John C. Stevens; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE (by request) introduced a bill (S. 5663) to amend sections 4924 and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also (by request) introduced a bill (S. 5664) to amend sections 4924, 4925, 4926, and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5665) to enable Samuel H. Jenkins, formerly of New York, N. Y., and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5666) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5667) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 5668) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 5669) granting an increase of pension to Alexander Hay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5670) granting an increase of pension to James William Stickley; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5671) granting a pension to Eliza H. Britton;

A bill (S. 5672) granting an increase of pension to Samuel Shadman (with an accompanying paper);

A bill (H. R. 5673) granting a pension to Ira D. Coover (with an accompanying paper); and

A bill (S. 5674) granting an increase of pension to Lemuel McMichael.

Mr. PLATT of Connecticut introduced a bill (S. 5675) granting an increase of pension to Joseph J. Quinn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5676) for the relief of Indian Traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 5677) authorizing the construction of a dam across Rock River at Lyndon, Ill.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLARK of Wyoming (for Mr. CLAPP) introduced a bill (S. 5678) granting a pension to Margaret McKee Pentland; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5679) for the relief of Edward Byrne;

A bill (S. 5680) for the relief of John A. Wanless;

A bill (S. 5681) for the relief of William H. W. Krebs, late first lieutenant, Seventeenth Infantry, United States Army;

A bill (S. 5682) for the relief of John W. Lewis; and

A bill (S. 5683) for the relief of Harlow L. Street.

Mr. DICK introduced a bill (S. 5684) for the relief of John F. Lewis; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 74) amending an act entitled "An act granting permission to officers and enlisted men of the Army and Navy of the United States to wear the badges adopted by certain military societies," approved September 25, 1890; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS. I introduce a joint resolution, which I ask may be printed in the RECORD.

The joint resolution (S. R. 75) to modify the act of March 3, 1903, providing for a new naval hospital, was read the first time by its title, and the second time at length, as follows:

Whereas the provision in the naval appropriation bill approved March 3, 1903, which appropriated $125,000 toward the erection of a new naval hospital is construed by the Secretary of the Navy to locate the same on the old Observatory grounds, on which account, and for many reasons deemed important, the Washington Board of Trade, the committee on parks and reservations, the Washington Business Men's Association, and the executive council of the National University committee have earnestly, by resolution, protested, as have many leading citizens through the press and by letter against the location of said hospital on said grounds; and

Whereas it is now impossible to give to such claims and appeals the attention they should have: Therefore,

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Navy is hereby authorized and required to delay the erection of said hospital until the subject of location shall have been further considered and determined by Congress.

Mr. PERKINS. I move the reference of the joint resolution, with the accompanying petition, to the Committee on Public Buildings and Grounds.

The motion was agreed to.

Mr. PLATT of Connecticut introduced a joint resolution (S. R. 76) providing for the reprinting of public documents Nos. 249, 250, and 251, of June 5 and 30, 1834, and March 3, 1835, and a census of pensioners for Revolutionary or military services; which was read twice by its title.

Mr. PLATT of Connecticut. The joint resolution is supported by a petition of the National Society of the Daughters of the American Revolution for the printing of these documents. I move that the joint resolution and accompanying petition be referred to the Committee on Printing.

The motion was agreed to.

AMENDMENTS TO OMNIBUS CLAIMS BILL.

Mr. NEWLANDS submitted an amendment, intended to be proposed by him to the bill (H. R. 9543) for the allowance of cer-

tain claims for stores and supplies, reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act;" which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies by the Court of Claims under the provisions of the act of Congress approved March 3, 1883, and commonly known as the "Bowman Act;" which was referred to the Committee on Claims.

JOHN R. WORMAN—WITHDRAWAL OF PAPERS.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of John R. Worman, accompanying Senate bill 6917, Fifty-seventh Congress, second session, and Senate bill 5488, Fifty-eighth Congress, second session.

JANE A. WARD—WITHDRAWAL OF PAPERS.

On motion of Mr. SPOONER, it was

Ordered, That leave be granted Jane A. Ward to withdraw from the files of the Senate the papers in her case, filed during the Fifty-seventh Congress, there having been no adverse report thereon.

EMPLOYMENT OF MESSENGER.

Mr. FULTON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Canadian Relations be, and it is hereby, authorized to employ a messenger to be paid from the contingent fund of the Senate at the rate of $1,440 per annum until otherwise provided by law.

ORDER OF BUSINESS.

Mr. McCUMBER. Mr. President, I wish to ask unanimous consent that at 4 o'clock this afternoon the Senate shall proceed to the consideration of unobjected pension bills on the Calendar. I will state that it will not take more than half an hour, in my opinion, to complete them all. A great many Senators desire to have these bills considered, and it would take more time to call them up severally. In order to get them through so they can be engrossed and enrolled we shall have to pass them rather early in the day, provided we are to adjourn to-morrow.

Mr. TELLER. I suggest to the Senator from North Dakota to withhold that request for a little while. I desire to make a few remarks to the Senate.

Mr. McCUMBER. I shall make the request subject to the remarks of the Senator from Colorado.

Mr. TELLER. But the Senator from Mississippi [Mr. McLAURIN] expects to follow me.

Mr. LODGE. Before the request is put, I should like to get some idea about the distribution of time after the Senator from Colorado and the Senator from Mississippi have concluded. I have a measure in charge which I feel bound to bring before the Senate—a public measure relating to the Philippines, making some very important amendments. I should like to ask the Senator from Iowa, the chairman of the Committee on Appropriations, what the prospects are in regard to final adjournment, so that we may have some knowledge as to the time before us.

Mr. ALLISON. As respects the appropriation bills, I should think that an adjournment could be taken to-morrow without disturbing the situation in regard to that particular feature of our business. I do not know how many other measures there may be pending. I understand that the important bill——

Mr. LODGE. Mr. President, can we have order? It is impossible to hear what the Senator from Iowa is saying, and I want to hear him.

Mr. ALLISON. I understand that there are at least one or two important conference reports that must be disposed of before we can adjourn. One, especially, is the canal-zone bill, which, I understand, has not yet been agreed to in conference. I learn that it is absolutely essential that that bill shall be passed in some form at the present session. I do not know when the conferees will be able to agree. There may be some other bills of importance that ought to be passed.

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

Mr. ALLISON. Certainly.

Mr. TELLER. I wish to say that so far as my remarks go I will, of course, give way to conference reports or anything of that character.

Mr. ALLISON. So I understand.

Mr. TELLER. I do not want to interfere with the regular business of the Senate.

Mr. ALLISON. I understand.

These important matters of course must be arranged or known about before any agreement can be made as to the hour of adjournment or the day. I feel quite sure that if the Senator from North Dakota will refrain from asking a time specially for pension bills there will be an opportunity later to-day.

Mr. LODGE. Before the Senator from Iowa takes his seat, I understand what it comes to is this, that there ought to be some Panama legislation. Of course he does not undertake to define what it is, but he thinks there ought to be some Panama legislation before we adjourn.

Mr. ALLISON. So I understand.

Mr. GALLINGER. Mr. President, it will be recalled that I have exhibited the most remarkable patience, having given notice almost a week ago that I would move an executive session. Now, Mr. President——

Mr. MORGAN. The morning business has not been concluded yet.

The PRESIDING OFFICER. The morning business is not yet closed. This debate is proceeding by unanimous consent.

Mr. GALLINGER. The matter has been discussed. I will take but a moment, and then the morning business can proceed.

I had a distinct understanding this morning with three Senators who desire to speak that after they conclude I will move an executive session; and I want now to say that if I can get the floor for that purpose after the Senator from Colorado and the Senator from Mississippi have concluded I will move an executive session, and I do not wish to make any agreement that would necessitate coming out of executive session to consider any bill.

Mr. McCUMBER. Mr. President——

Mr. ALLISON. I call for the regular order, whatever it is.

The PRESIDING OFFICER. The regular order is the presentation of concurrent or other resolutions. Is there further morning business?

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho rise for morning business?

Mr. HEYBURN. I do.

Mr. McCUMBER. Mr. President, I rise to a point of order. To my request there has been no formal objection yet made. I am not going to urge the matter, but——

The PRESIDING OFFICER. The Chair understood the Senator from Colorado in effect to object.

Mr. McCUMBER. He has not objected; and if he does object I want to have him do it.

Mr. TELLER. I will object for the present. I think the Senator ought to wait.

Mr. McCUMBER. That is all. I simply wanted to know that the Senator objects.

PAYETTE-BOISE IRRIGATION PROJECT.

Mr. HEYBURN. I submit an order, and ask for its present consideration.

The order was read, as follows:

Ordered, That 1,000 additional copies of Senate Document No. 247 be printed for the use of the Senate document room.

Mr. HEYBURN. I will state that this request comes from the Reclamation Bureau, and that the copies are for the use of the Senate Document Room.

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

THE NEW PANAMA CANAL COMPANY.

Mr. MORGAN submitted the following resolution, which was read:

Resolved, That the Attorney-General is hereby directed to inform the Senate, at his earliest convenience, of the present state of the negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreement or agreements that have been made or proposed by said parties or either of them, touching the sale of the property of the said canal company, since March 11, 1903; and that he also transmit to the Senate copies of all papers relating thereto that are or have been in his possession and under his control, so as to inform the Senate fully as to the entire transaction.

2. Whether there is any agreement or understanding with the New Panama Canal Company or with any person acting for it, that an accounting will be made of the work done upon the canal by said canal company, from the date of the report of the Isthmian Canal Company, estimating the value of its property and holdings at $40,000,000, or from any later date, and whether the United States is placed under any obligations to pay the sum ascertained upon such accounting.

3. Whether any and what agreement has been made with the New Panama Canal Company to the effect that there is exempt from the property purchased or to be purchased from said company, the treasury assets of said company, including deposits of money, outstanding credits, and investments in bonds; and any such assets, money, or investments in bonds or other property belonging to the Panama Railroad Company; and the value of the property so excluded from the contract of purchase.

Mr. KITTREDGE. Mr. President——

The PRESIDING OFFICER. What is the request of the Senator from Alabama?

Mr. MORGAN. I have no request to make, Mr. President. The resolution goes over under the rule.

Mr. KITTREDGE. Very well; let it go.

The PRESIDING OFFICER. The resolution will go over and be printed.

EMPLOYMENT OF MESSENGER.

Mr. BURROWS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

EXPORTATIONS TO PHILIPPINE ISLANDS.

Mr. BURROWS. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax, to report it favorably without amendment. I ask unanimous consent for its present consideration.

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

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

COLVILLE INDIAN RESERVATION.

Mr. STEWART. Mr. President——

The PRESIDING OFFICER. Is there further morning business?

Mr. STEWART. Mr. President——

The PRESIDING OFFICER. Does the Senator rise to morning business?

Mr. STEWART. No; but I will state for what purpose I rise, if I can have the opportunity for a moment.

There is a bill on the table, which has passed the House of Representatives, to permit the construction of a smelter on the Colville Indian Reservation. The subject has been considered by the Committee on Indian Affairs, and a like bill reported. I ask that the bill from the House of Representatives may be laid before the Senate, and passed. I am sure nobody will object to it.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes; which was read the second time by its title, 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.

ORDER OF BUSINESS.

The PRESIDING OFFICER. Morning business is closed. The Senator from Colorado [Mr. TELLER] is entitled to the floor.

Mr. FOSTER of Washington. Mr. President——

Mr. MARTIN. Will the Senator from Colorado yield to me for a moment that I may ask for the consideration of a bill? It will only occupy a very few minutes.

Mr. TELLER. I do not know whether the request I am about to make will be objected to, but under the circumstances it seems to me, as it is now a quarter before 2 o'clock, that it would be well to allow Senators who have little uncontested cases to dispose of to secure their consideration before 2 o'clock, at which time I propose to take the floor. I have so many requests from Senators who wish to have bills considered that if I yield to them I should not be able to get through by 2 o'clock.

Mr. McCREARY. I have one of those little uncontested cases, Mr. President, which I should like to have considered.

The PRESIDING OFFICER. The Chair has recognized the Senator from Colorado [Mr. TELLER].

Mr. TELLER. I ask that unobjected cases on the Calendar may be considered until 2 o'clock, and at that time I shall resume the floor.

The PRESIDENT pro tempore. Then the Chair will recognize the Senator from Washington [Mr. FOSTER].

Mr. BAILEY. Do I understand that unanimous consent has been given to the request preferred by the Senator from Colorado [Mr. TELLER]?

The PRESIDING OFFICER. The Chair did not understand that any unanimous consent had been asked for.

Mr. BAILEY. Yes; the Senator from Colorado did ask for unanimous consent.

Mr. TELLER. I did made that request.

The PRESIDING OFFICER. Unanimous consent, then, is asked by the Senator from Colorado that the Senate proceed until 2 o'clock with the consideration of unobjected bills on the Calendar. Is that the request?

Mr. TELLER. Yes; and I give notice that at that time I shall desire to resume the floor.

The PRESIDING OFFICER. Is there objection to the request?

Mr. ALLISON. I shall not object to the request, but I shall object to any prolonged use of the time except for the purpose already indicated.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado, and it is agreed to.

PUYALLUP ALLOTTED LANDS.

Mr. FOSTER of Washington. I ask unanimous consent for the present consideration of the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

That the act of Congress approved March 3, 1893 (27 Stat., p. 633), authorizing the sale of the Puyallup allotted lands, with restriction upon alienation "for a period of ten years from the date of the passage" thereof, shall be taken and construed as having expressed the consent of the United States to the removal of restriction upon alienation by said Puyallup Indians to their allotted lands from and after the expiration of said period shall be given effect of having been made without any restrictions upon the power of the allottee to alienate his land.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The title was amended so as to read: "A bill confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands."

SMITH R. MERSHON.

Mr. McCREARY. I ask unanimous consent for the consideration at this time of the bill (S. 4504) for the relief of Smith R. Mershon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "three hundred and eight dollars" and insert "one hundred and ninety-two dollars and fifty cents;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Smith R. Mershon the sum of $192.50, for services rendered as custodian of a distillery warehouse in Lincoln County, Ky., seized by a United States revenue officer and held for seventy-seven days by said Smith R. Mershon under the orders of the said United States revenue officer.

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.

E. H. MURRELL.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1836) for the relief of E. H. Murrell.

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

Mr. MARTIN. Mr. President, there is an amendment reported from the Committee on Claims, which I will send to the desk. It seems to have been omitted in the printing of the bill, but it will be found in the report of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 5, after the name "Murrell," it is proposed to strike out:

the sum of $11,900, said amount having been collected by the Treasury agents of the United States from property in New Orleans, La., belonging to him and by them turned over to the Freedman's Bureau.

And to insert:

the sum of $7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 28, 1865.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward H. Murrell, the sum of $7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 28, 1865.

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.

EUGENE PATENAUDE.

Mr. PROCTOR. I ask unanimous consent for the present consideration of the bill (S. 4573) for the relief of Eugene Patenaude.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, in line 7, after

the words "on the," to strike out "3d day of November" and insert "23d day of September;" and, at the end of the bill, to insert:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500 for the payment of this claim.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Eugene Patenaude, of Colchester, Chittenden County, Vt., the sum of $500, in full for injuries sustained by him by reason of his being shot and severely wounded on the 23d day of September, 1901, at said Colchester, by a stray bullet fired by an unknown member of Eleventh Regiment United States Cavalry while at target practice.

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500 for the payment of this claim.

The amendments were agreed to.

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

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

The bill was read the third time, and passed.

PETER B. PHILLIPS.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (H. R. 6049) granting an increase of pension to Peter B. Phillips.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Peter B. Phillips, late of Company G, Thirteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

INFORMATION AND DISPLAY BUREAU AT ELLIS ISLAND.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the bill (S. 4118) authorizing the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, to establish, in connection with the immigrant station at Ellis Island, an information and display bureau, for the purpose of aiding in the distribution of immigrants, and for other purposes. The bill has been reported unanimously by the Committee on Immigration and has been recommended by the Department.

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

The Secretary read the bill.

Mr. ALDRICH. From what committee does that bill come?

The PRESIDING OFFICER. From the Committee on Immigration.

Mr. ALDRICH. It strikes me, from the reading of it, that it is a pretty important bill, and I think it had better not be considered now.

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

OSCAR M. PARSONS.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 940) granting a pension to Oscar M. Parsons.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Oscar M. Parsons, helpless and dependent son of Thomas Parsons, late of Company B, Twelfth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $12 per month.

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

Mr. ANKENY. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GALLINGER. I call for the regular order, Mr. President.

The PRESIDING OFFICER. The regular order being demanded, the Senator from Colorado [Mr. TELLER] is recognized.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. FRYE. Will the Senator from Colorado yield to me for a few moments?

Mr. TELLER. I yield to the Senator from Maine if the bill he desires to call up does not lead to any discussion.

Mr. FRYE. I do not imagine that it will. I ask the Chair to lay before the Senate the bill providing for a commission to investigate and recommend legislation for the development of the American merchant marine.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; which was read twice by its title.

Mr. BAILEY. I will say to the Senator from Maine that that bill will provoke a controversy. It is, in my judgment, intended to collect data upon which to predicate a ship-subsidy measure, and I feel that it should be resisted.

Mr. FRYE. If the bill is not passed now, of course it is useless, because it provides for a report at the next session of Congress.

Mr. BAILEY. I hope it will never pass, because the only result of its passage, if it results in anything, will be a ship-subsidy bill.

Mr. FRYE. That is not my opinion. My opinion is that it will result in a recommendation for discriminating duties.

Mr. BAILEY. Mr. President, I testify my great confidence in the Senator from Maine by accepting that assurance, and so far as I am concerned I will not object to the bill.

Mr. FRYE. I simply say that it is my judgment that it will result in a recommendation for discriminating duties.

Mr. BAILEY. The Senator from Maine will control the appointment of at least a part of those who are to make the investigation.

Mr. FRYE. The Senator from Maine will appoint as one of that commission the Senator from Massachusetts [Mr. LODGE], who has already introduced a bill for discriminating duties and has announced himself as in favor of such duties; and there will be two Democrats on the commission.

Mr. BAILEY. Reserving, of course, any expression about discriminating duties, I will say that they are incomparably better than a ship subsidy, and if this bill offers a way to escape a subsidy I am willing for it to pass.

Mr. FRYE. I beg the Senator to let the bill pass anyhow.

Mr. BAILEY. Very well.

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

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

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

MILITARY ACADEMY APPROPRIATION BILL.

Mr. ALLISON. Regular order, Mr. President.

Mr. HANSBROUGH. Mr. President——

Mr. TELLER. I understand the Senator——

Mr. WARREN. Will the Senator from Colorado yield to me for a few moments to present a report?

Mr. TELLER. Is it a conference report?

Mr. WARREN. Yes; and I desire to say that I have been standing in my place for some time endeavoring to attract the attention of the Presiding Officer of the Senate, but I have been unable to succeed. I regret that the business of the Senate is in such a condition at this moment that I am unable to secure recognition except through the courtesy of the Senator who has the floor.

The PRESIDING OFFICER. The conference report will be received.

Mr. WARREN. I present the report of the committee of conference on the Military Academy appropriation bill.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 15, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 24, 25, and 26, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "forty-five" and insert in lieu thereof the word "forty-seven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "six" and insert in lieu thereof the word "one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "fifty-three thousand and ninety-six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amend-

ment as follows: In line 4 of said amendment, after the word "available," insert "immediately and;" in line 8 of said amendment, after the word "available," insert "except for purchase of lands and water rights;" and after the word "dollars," in line 12, insert "including the one hundred thousand dollars appropriated by act of June 28, 1902;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Beginning in line 4 of said amendment strike out the following: "construction of such buildings as are most immediately necessary," and insert in lieu thereof the following: "necessary construction of cadet barracks and such buildings as shall be needed to replace buildings removed in such construction of cadet barracks;" and the Senate agree to the same.

F. E. WARREN,
R. A. ALGER,
JO. C. S. BLACKBURN,
Managers on the part of the Senate.
R. WAYNE PARKER,
F. W. MONDELL,
WM. SULZER,
Managers on the part of the House.

The report was agreed to.

LOUISIANA PURCHASE EXPOSITION.

Mr. ALDRICH. I ask unanimous consent at this time to submit a report.

The PRESIDING OFFICER. The report will be received.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," to report it favorably without amendment.

Mr. COCKRELL. I desire to state to the Senator from Colorado [Mr. TELLER] who has the floor that the bill just reported is in regard to the exhibits at the Louisiana Purchase Exposition, in which all the foreign ministers here are very much interested. It will only take a moment to pass it.

Mr. TELLER. Is it a Senate or a House bill?

Mr. COCKRELL. It is a House bill.

Mr. TELLER. Under those circumstances, it being a House bill, I feel that I ought to yield, if its consideration does not require much time.

Mr. COCKRELL. It will only take a moment. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that section 10 of the act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," be so amended as to read:

SEC. 10. That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or custom duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition building or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption, and all penalties prescribed by law shall be applied and enforced against the person who may be guilty of any illegal sale or withdrawal.

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

REPEAL OF DESERT-LAND ACT, ETC.

Mr. HANSBROUGH. Mr. President——

Mr. GALLINGER. Regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado [Mr. TELLER] has the floor.

Mr. HANSBROUGH. I ask the Senator if he will not kindly yield to me to have a House bill taken up? It has been amended by the Senate Committee on the District of Columbia, and unanimously reported.

Mr. TELLER. I am going to yield for the bill of the Senator from North Dakota, but I hope no Senator will ask me to yield, not on my account, but because the Senator from Mississippi [Mr. MCLAURIN] is to follow me, and I do not think I have a right to delay him.

The PRESIDING OFFICER. The Chair had recognized the Senator from Washington [Mr. ANKENY] when the regular order was demanded. He has a short bill which he desires to have passed.

Mr. GALLINGER. I ask for the regular order, Mr. President.

Mr. HANSBROUGH. Do I understand the Senator from Colorado [Mr. TELLER] to object?

Mr. TELLER. I understand the Senator from New Hampshire [Mr. GALLINGER] has objected.

Mr. HANSBROUGH. Is it an objection to the consideration of the bill?

Mr. GALLINGER. I call for the regular order.

The PRESIDING OFFICER. The regular order is demanded. The Senator from Colorado will proceed.

Mr. TELLER. Mr. President, I realize that in the closing hours of a session, no matter how important the subject may be and how well it may be presented, it is very difficult to get any consideration for it, and I know that I can not present this subject so as to attract the attention of the membership of this body generally. It is not a political speech that I am going to make. I am going to speak on a subject that interests the people of the section of country in which I live more than any question that has been before Congress during this session, and that is public lands.

During this session we have been regaled by some remarkable speeches. We have had conditions in the States where the Government owns lands described in a way that has never existed. Statements have been made here, credited to the public press and public officials, of a very damaging character with reference to the present land laws. Criticisms have been made of land laws existing twenty or twenty-five years ago and long since either repealed or modified and their character very much changed, and they have been cited as objections to the existing law. Among others, there has been cited a statement I made in a report about twenty years ago as Secretary of the Interior in reference to the commutation of homesteads. The conditions then existing justified that statement. It was made upon a law not now in existence and which has not been in existence for the last fourteen or fifteen years.

The distinguished Senator from Montana [Mr. GIBSON], in a very carefully prepared speech, which I intended to refer to in detail if I could have got the floor ten days ago when the Senate had time to consider these things, which ought to be considered, quoted not only from the report I made, but from the report of various other Secretaries of the Interior and Commissioners of the General Land Office. I think practically all of them were upon the old law of the commutation of homesteads and preemptions existing prior to 1885.

Mr. President, it was my fortune to spend three years in administration of the land laws. In the first place, I want to say that I have had more than forty-three years of acquaintance with the actual operations of these several acts, and I have seen a great part of the western section of the country occupied by settlers under those laws. When I came again into the Senate from the Interior Department I became a member of the Committee on Public Lands. Realizing that there was some necessity for a change in the land laws, I, with some other members of the committee, went to work to make them. We commenced to make the changes in 1886, and continued in 1887, 1888, and 1889, and in 1891 there was practically a revision of the entire system.

It has ever been the policy of this Government to get the public lands into the hands of the people. It never was supposed until recently that the Government of the United States was to remain a great landholder and would reserve from occupation by the public a vast area of land under the pretense that it was valuable as a forest reserve or for any other purpose. So far as there has been within the last ten years a disposition to set apart land either for parks or for forest reserves or for any other purpose save that of settlement it is a departure from the policy adopted by this Government when it passed its first land law in 1796. Nay, more, it is an abandonment of the policy which the Congress of the Confederation adopted in reference to the Northwest Territory.

I had expected, if time would permit, to take up the statutes and show what the policy of the Government had been. First it was to sell the public lands. I am prepared to present to the Senate the statutes, but in the concluding hours of the Senate I do not feel justified in doing so. Consequently I will omit much of what I should like to say and might properly have said in reply to statements made not only on this floor, but in the other branch of the Congress; and, as a rule at least, they have been made by men who had the least knowledge or acquaintance with the subject on which they were speaking.

The first policy of the Goverment was, as I say, to sell the public lands, to give them to the settler for a consideration. First it was $2 an acre, and finally a dollar and a quarter an acre, and this policy went on by special acts very largely until 1841, when the preemption law was passed. In 1841 and 1842 the legislation

assumed a phase that it maintained, with the exception of the homestead law, up to 1891. A preemption settlement could be made by going upon the land and putting upon it evidence of an intent to occupy it. Then the settler could go on and cultivate it and pay for it at a dollar and a quarter an acre within a given time, any time after six months' occupation.

Mr. President, I wish to say that the States of Illinois, Iowa, Wisconsin, Michigan, and Indiana were practically settled under that law. On June 7, 1862, the Congress of the United States enacted the most beneficial law concerning public lands that it has ever enacted, either before or since. It was not perfect, but it was a declaration made by the Government of the United States, in an hour when it needed money more than it ever needed it at any hour in its history or ever will, that the public lands belonged to the people of the United States, that the Government of the United States was but the trustee, and that the people should take those lands, and all that they were required to do was to live on them for a period of five years.

Realizing that it would not be possible always for a man to live upon the land that length of time without great inconvenience, Congress provided in that law for a commutation of the homestead without any limitation as to the time. This remained the law until 1891 (except that some modifications had been made of that law at different times, of which I have not time now to speak), when the law was amended by providing that the settler could not commute, as he had before that time, except after a residence of fourteen months.

The Senators who composed the Committee on Public Lands at that time were Senators who had lived in the western section of the country and who knew something about the operations of the former law, and they knew that in a great many cases there would arise a necessity for the homesteader to commute. I will not have time to go into details, but those conditions have been recognized again and again by statute and by rules adopted in the Interior Department, where this law was being administered. We have provided by statute that the homestead settler might extend his time or that he might take it in less time. Those Senators, I think myself, were as well qualified to pass upon the question as any newspaper editor that I know of.

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

Mr. TELLER. I yield to the Senator from North Dakota.

Mr. HANSBROUGH. Let me call the attention of the Senator to the fact that about nine-tenths of the material that finds its way into the newspapers in favor of the repeal of these land laws emanates from the bureau established in this city for the purpose of promulgating that kind of material, and that it is published largely in eastern newspapers or in newspapers in States that are not public-land States, where the editors can not know anything about the practical workings of the law.

Mr. TELLER. I will say to the Senator that I have in mind and will address myself to that feature of the matter in a very few moments. I wanted to say that the Committee on Public Lands, having had experience, knew that if any settler went upon a piece of land and lived upon it for fourteen months, there was no question but that he intended to make it his home. There could be no presumption that he had gone there for anything else than to make it his home. And the whole policy of the Government up to that time had been to make it easy for the settler to go and make a home on the public lands, and not difficult.

Within the last five years there have appeared in the public journals various attacks on the existing laws. We have been told that they have been used to enable capitalists to secure large areas of the public lands, and that as administered they were not beneficial to the public at large.

These attacks appeared in every section of the country. As the Senator from North Dakota says, they were more numerous and more virulent in that section of the country where there were no public lands, and where there never had been any public lands. They were somewhat virulent even in the section where the public-land laws had been in operation and where they increased their operation from the fact that the lands had been appropriated and were in the hands of private parties.

It was obvious to any thinking person that there was somewhere an agency or an influence at work directing these different attacks. They were practically the same, whether they appeared in a New York journal or in a southern journal or in a New England journal. All of them abounded in the declaration that the people who were filing on homesteads were committing perjury and fraud against the Government. Recently—and I am going to omit much that I had intended to say on this subject and come to that point at once—there has appeared an unusual attack.

We are told all at once that the Government of the United States has now provided a system by which homes can be made upon the public lands by virtue of what is called the "reclamation act," and, therefore, in order that the public may have the benefit of the reclamation act the other land laws should be repealed; and that there is no other way by which the public can have the benefit of the reclamation act than by the repeal of all the land laws. And why? Because it was said that under the desert-land act—and I do not know but that some of them said the same with reference to the timber act; of course that did not apply to desert lands, but I have noticed that the majority of the people who have been discussing this question scarcely know the difference between desert land and timber land—that under the desert-land act the land was appropriated in such a way that the beneficent action of Congress in passing the reclamation act would not have the full force and effect, and the people would not get the benefit of it. So they demanded that there should be no more land entered either under the desert act or the preemption act or the homestead act, except the settler should live for five years straight on that land, and in many cases the demand was also that the homestead laws should be wiped out.

I have on my table a periodical published in the State of California. It is called "The Maxwell Talisman." This paper has provided, I may say, the bulk, the great majority of the newspaper articles that have appeared in the last five years, or ever since it was established, which I think was four or five years ago. It is vicious in its attack upon Members of this body. It has been virulent in its attack upon the settler, and if one should read the paper for a length of time and believe it he would conclude that the western settler was of all men the vilest and the meanest, committing perjury when it would be just as easy for him to acquire what he wants without it.

I do not like to speak of individuals, but Mr. Maxwell has been so active in this matter that I feel it is necessary, in order that there may be a fair understanding of the conditions by the Senate and the country, to say that Mr. Maxwell has devoted himself professedly to the question of securing the repeal of these land laws. I have no doubt he gave some attention to the passage of the reclamation act, and I understand now that he insists that he is entitled to most of the credit for that legislation. The reclamation bill in some shape has been before the Senate for many years, and I confess I never heard of Mr. Maxwell's relation to it until after the bill was passed, and I do not, therefore, believe he was a factor of any consequence in the passage of the act.

Mr. DUBOIS. I desire to say that the junior Senator from Wyoming [Mr. WARREN] or I had the honor of presiding at, I think, every meeting of the committee which framed the reclamation act, and so far as I am concerned I never knew of any contribution that Mr. Maxwell made to help us in the framing of that act. I did not know, so far as I was concerned, that he was interested in the passage of the reclamation act. I see the Senator from Wyoming here. I imagine that his experience was the same as my own.

Mr. WARREN. The statement as made by the Senator from Idaho is correct.

Mr. HANSBROUGH. I think the Senate perhaps will agree that I had some small part in the drafting and handling of the irrigation act as it passed the Senate.

I want to state, in line with what the Senator from Colorado has said, that I met Mr. Maxwell but twice prior to the passage of the irrigation act, and that I did not know that he was under pay to secure the passage of the act until about a year ago, or a little less than a year ago, when I read in a speech which was made by a gentleman residing in the West that the land-grant railroad companies were paying Mr. Maxwell an annual salary, a very large salary, to secure the passage of irrigation legislation, and that they were continuing to pay that salary after the irrigation act passed. I did not know that Mr. Maxwell had any connection with the movement for irrigation until after the law was put on the statute books.

Mr. TELLER. I do not know what the railroad people paid Mr. Maxwell as a salary, and I never heard, during the whole controversy as to whether the nation should take hold of this question or not, that any railroad company or any railroad officer or any of the stockholders of a railroad was on the side of the Government in favor of that kind of legislation.

I knew that those railroad companies, or some of them at least, were great land proprietors. I had knowledge that the Government of the United States had in a few years, commencing about 1864, and continuing perhaps for ten years, donated to the railroads an area greater than that of the entire thirteen colonies. Something more than 200,000,000 acres of public lands were donated to those corporations by the Government. I have always said and always believed that if the Government had donated to the railroads, instead of the lands themselves, $5 an acre for all the lands it gave them, and had reserved the land for the people, the country would have been richer and greater, and the people would have had advantages which they have not had by this donation of the land to the railroad companies.

Mr. Maxwell appeared before the House recently and testified

that there were six railroad companies that had paid $6,000 a year for the last five years, I think, and one railroad company—not quite so large I suppose, or not quite so much interested in this matter—had paid $3,000 a year, and that there were others—who they were he did not state—who had contributed in addition to that sum, so that the aggregate contribution had been about $50,000 a year.

Mr. WARREN. May I interrupt the Senator from Colorado?

Mr. TELLER. I yield to the Senator from Wyoming.

Mr. WARREN. I think it is but just to the railroads, and the Senator, I think, will agree with me, to say that we can hardly believe that when making these contributions of funds the contributors expected that the money would be used in the very extreme and abusive manner in which some of it is being used. As an instance of that I should like to have read at the desk a paragraph from a newspaper, which was contributed, I understand, by a person who is employed by this fund.

Mr. TELLER. By Mr. Maxwell?

Mr WARREN. By Mr. Maxwell's fund, which he testified to.

The Secretary read as follows:

That land frauds have been carried on for years in Wyoming and are even now a daily occurrence is an open secret, known as well by the mass of the people as by the Land Office and other officials having detailed knowledge of the operations of the big cattle companies and others who have taken advantages of the intricacies of the existing laws to acquire large tracts of land fraudulently in this State.

Mr. WARREN. If the Senator will permit me, the article read is from Public Opinion, which we all know contains extracts from other papers; and this particular one was taken from the Denver Times. Upon inquiry I am informed that both the transmission of this material to the Denver Times and the fact that it is clipped from the Denver Times and published in Public Opinion are through agencies and instrumentalities, the cost of which is paid from this fund alluded to by the Senator.

Now, I feel sure that those who have contributed to that fund will not state that the public officials of Wyoming are corrupt, and that the public officials in Washington who review the cases are corrupt, and that frauds in Wyoming land offices are of daily occurrence, when as a matter of fact a fraudulent entry in that State is a very rare occurrence; and I challenge anybody and everybody to produce any evidence to the contrary. That matter has been fully investigated in the Interior Department in Washington, and in the speech which I had the privilege of making not long since I quoted from that report, giving the percentage of fraud, which was remarkable only because it was so very, very small. So I think the fund, while being used in a manner which I think is scandalous, is nevertheless being perverted from the purpose of those who contribute it, although I do not commend the parties who are contributing that fund.

Mr. TELLER. Mr. Maxwell stated before the committee that the purpose of this fund was to secure the enactment of what we call the "reclamation act," but, as stated by the Senator from North Dakota, he admitted that those contributions were still being made, notwithstanding the reclamation bill has long since become a law.

Mr. President, perhaps two months ago, when this question of the repeal of the land laws was up, I made the statement on the floor that the people back of this enterprise, this syndicate of publishers, the people who had been declaring against the present laws and charging fraud upon everybody connected with the matter, including the officials as well as settlers, were backed by those who own land and had it to sell.

I had at that time some information on this subject of an entirely personal and secret character, and I knew I was not mistaken. Subsequently Mr. Maxwell went before the House committee, and, realizing that the fact was before the committee and members of the committee had been acquainted with the fact that he was receiving large contributions, he admitted that he had received for so many years, I think, about $50,000 a year and was still receiving these contributions.

Mr. HANSBROUGH. Will the Senator yield to me?

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I suggest to the Senator that Mr. Maxwell's statement on that line be publicly read at the desk. It is a very brief statement.

Mr. TELLER. If the Senator has it, I should like to have it read. I have it not here.

Mr. HANSBROUGH. It is the exact language used by Mr. Maxwell.

Mr. TELLER. Then I will ask to have it read.

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

The Secretary read as follows:

Mr. HITCHCOCK. I want to perfect some information I asked for. When you gave the names of the railroads that have contributed to these funds you did not state the amounts they contributed.

Mr. MAXWELL. Six thousand dollars for each of the transcontinental lines and the Burlington, and $3,000 for the Rock Island.

Mr. HITCHCOCK. That makes how much altogether?

Mr. MAXWELL. Thirty-nine thousand dollars.

Mr. HITCHCOCK. Now, for what purpose was that money used?

Mr. MAXWELL. It has been used for the expenses of the National Irrigation Association, and there has only been a part which has been available by that association for the circulation of its literature and the maintenance of our press bureau and the educational campaign which we have been carrying on for the last five years.

Mr. HITCHCOCK. That is an annual contribution?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. Has been going on for five years?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. And still continues?

Mr. MAXWELL. And still continues.

Mr. HITCHCOCK. Six thousand dollars each for the transcontinental lines, and six of them?

Mr. MAXWELL. I include the Burlington.

Mr. FRENCH. What one pays less than $6,000?

Mr. MAXWELL. The Rock Island.

Mr. FRENCH. That pays $3,000?

Mr. MAXWELL. The funds of the association are drawn also from many different directions; this fund is only a part.

Mr. MARSHALL. What part?

Mr. MAXWELL. I think the fund exceeds $50,000 altogether.

Mr. MARSHALL. Annually?

Mr. MAXWELL. Yes, sir.

* * * * * * *

Mr. HITCHCOCK. Referring to this $50,000 fund, who controls the disposition of that; do you?

Mr. MAXWELL. We do.

Mr. TELLER. Mr. President, I can give Mr. Maxwell credit for claiming that this fund was not for the purpose of repealing these laws. Still he has been the most active agent in that interest. I will venture to say that 75 per cent of the attacks on the present system that have been in the public press have first appeared in his paper, published at Los Angeles. They can practically all of them, so far as I have been able to follow them up, be traced to that origin.

Now, I am not a railroad man, nor am I one of those who believe that railroad companies may not do meritorious acts as well as other people; but I want to ask the Senators now if they believe that these railroad companies, some of them owning large areas of public lands under the donation of which I have spoken, have been contributing year after year, before the passage of the reclamation law and after, for the express purpose of securing to the people an opportunity to make homes under that law?

There is no one who believes that to be the case. There is no one who supposes that the board of directors of a railroad company will vote money out of their treasury for a charity, and do it year after year, and face their stockholders. They are not charitable organizations. They have no right to do it under the law, and if they answer to their stockholders for a misappropriation of funds, they will answer by saying, "We believe that it will benefit us." How, Mr. President? By creating a market for their lands when there is no other place for settlers to go except upon the land owned either by the State itself, which it has received from the General Government or by these different railroads.

Mr. FULTON. Will the Senator from Colorado permit me——

Mr. TELLER. I certainly will.

Mr. FULTON. I call the Senator's attention to another feature of this repeal that will operate very greatly to the advantage of the land-grant railroads. If they shall succeed in securing the repeal of the timber and stone act, then there will be but two methods by which they can acquire timber land. One will be by the homestead law, and of course the Senator knows how difficult it is for one to go upon a tract of land that is heavily timbered and live up to and absolutely conform to the requirements of the homestead act. Consequently these land-grant railroads whose lands have been incorporated into forest reserves will have the exchange scrip or, as we call it for want of a better term, the forest-reserve scrip, which can be used in taking up timber lands. They have something like 2,000,000 acres of that scrip, I understand, which at once will become very valuable if the right of private entry of timber lands is done away with. That, consequently, will net them a vast sum of money, because people will have to purchase it in order to enter the timber lands.

Mr. TELLER. The Senator from Oregon is correct about that. It is too patent to go into an argument about, that the railroad companies were trying to bring about a condition of affairs that would enhance the value of their lands. I repeat, if they were not doing that, then they were violating the law and robbing their stockholders, and no defense could be made by them to their stockholders except that they were enhancing the value of their land by this donation.

We heard from the Senator from Montana [Mr. GIBSON] about a condition that he said existed in that State that I myself had not believed existed in any part of the United States. I believe the Senator received his incentive and his information largely from Mr. Maxwell and men of his class.

I wish to say a word or two before I pass from this point as to the interest of Mr. Maxwell and his associates, no matter who they are, in this subject of reclamation. We have now in the Treasury of the United States about $16,000,000, comprising the receipts of the Land Office for several years.

Mr. HANSBROUGH. About $18,000,000 now.

Mr. TELLER. It is about $18,000,000. And now it is proposed by these devotees of reclamation, these enthusiasts on the subject, to repeal, first, the timber law and, second, the commutation act and the desert-land act, and then there is no cash coming into the Treasury of the United States from the sale of public lands. We are then left with this magnificent enterprise of reclamation, which, if it is carried out as it ought to be, will take not only the eighteen or twenty million dollars, but very much more than that; and we are left with that and that alone to carry out the purpose of the law.

It can not be that men of Mr. Maxwell's intelligence or the men who back him believe that if the timber act and the stone act are repealed, and if the desert-land act and the commutation act are repealed, a sufficient sum of money will come into the Treasury of the United States from public lands to be worthy of attention on the part of the Government or the people who are depending on the Government to make reclamation of the desert.

Every act they have performed and every step they have taken has been an intelligent step toward depriving the people of every opportunity to take public lands and compel the people either to go without land or to apply to them. Referring to the State of Montana, I call attention to the fact that more than 17,000,000 acres of land in that State belonged, and most of it to-day belongs, to a great railroad corporation.

While the owners of the stock in the Great Northern Railroad Company may not have any interest directly in the grant, they have an interest in all of the land owned by the Northern Pacific, and they thus have an interest in that 17,000,000 acres. The Great Northern was not a land-grant railroad, but the Northern Pacific was. To-day the Great Northern controls the Northern Pacific. It controls also the Burlington. The reason why the Burlington is a contributor to the fund is because the Federal Government has already deeded away its lands under a grant which was made years ago. The great moving power has been the Great Northern road. The Great Northern road has an interest in this land such as no other corporation has.

The Santa Fe road has extensive interests, with a great public-land interest acquired both directly and indirectly from the old Atlantic and Pacific. I have not had time to go over the facts carefully, because I find there is much difficulty in the Land Office in arriving at a correct statement. I have not been able to ascertain just how much land these different railroad companies own; but I know that until recently the railroad companies owned 3,000,000 acres of land in the State of Colorado, and last year, if I am not mistaken, they sold more than 100,000 acres of land to the people of that State.

Mr. STEWART rose.

Mr. TELLER. Does the Senator desire to interrupt me?

Mr. STEWART. I would not interrupt the Senator, but I want to give him a parallel.

Mr. TELLER. All right.

Mr. STEWART. In 1868 I became satisfied that the lands were being taken by speculators and not by entrymen under the preemption law. I made a speech against it and talked against it as such an abuse as no man ever heard of. That was discussed all over the country; the papers published it; it came out in the magazines. I thought that was sufficient. I got a small appropriation through, creating some more clerks for the Land Office. Mr. Wilson was the Commissioner then. I went down and asked him, in the first place, if he would do it if I got the money with which to employ additional clerks. That was done. They made a synopsis of all the laws referred to in the speech I made in the Senate. I wanted to get at the particulars as to what had been disposed of under the preemption act. A table was prepared, and it will show that over half of the land that was sold under the preemption act went to speculators in this way.

There were surveys made through the Mississippi Valley, and the surveys were spread out rapidly with the advance of settlement. They had a law by which, after the surveys had been made a certain length of time, the land should be offered at public sale, and after it had been offered at public sale it should be subject to private entry. So there would be a million acres of land surveyed before the settlers got there; it would be offered at public sale, there would be no bidders, and it would be bought up by townships and some by county after county. In Iowa an immense part of the State was bought up in this way by speculators and sold within a year or two at $10 an acre.

I had a table of the whole business prepared, and when that table was published members of Congress got extra copies of it and sent it all over the country. That information showed how speculators were making money, and that settlers instead of getting the land at $1.25 an acre under the preemption law were paying $10 and $12 an acre for it, and sometimes as high as $15 for a large portion of the land. As soon as that was published the law authorizing it to be sold at public auction at a certain time after the surveys were made was repealed.

But the general interest of the press in this question reminds me of the general interest taken in preserving that law whereby men became very rich. I could name some of them now. Great fortunes were made by having the surveys extended ahead of the settlement. That system spread all over the Mississippi Valley. When by this manipulation they had it made subject to private entry, they would buy it and settlers would come in and have to pay large prices. A little over half of the land up to that date had been manipulated in that way. After the passage of the preemption law in 1841, over half of the land that had been disposed of under that law up to 1870, up to the time I published that table, had been sold and bought up at private entry and then sold at enormous prices to settlers.

But nothing stopped this howl except the publication of the facts. There was one great firm in Cleveland where they issued a paper for that purpose. This is a very similar kind of howl, and there must be something behind it. The facts brought out here remind me of what was behind that other howl. There was at that time a patriotic howl of this character. When we have land laws in conflict with what has been the experience in speculations in the West and there is a howl against them it is well enough to examine the source, and I am glad that we are developing the patriotism of these publications.

Mr. TELLER. I cited the case of Mr. Maxwell to show that in my judgment the railroads are not moved by an interest in the public, but by their own interests in the property that they want to sell. The Senator from Nevada alludes to the fact that public lands had been offered and then were subject to private entry after they had been offered. After they had been offered any person who could pay a dollar and a quarter an acre could walk in and buy. If he had enough money, he could buy a quarter section, or a township, if he saw fit. That continued to be the law until 1891. In 1891 the act to which I have referred, and which I took part in preparing, was repealed except as to the State of Missouri.

Mr. STEWART. That is true. The law continued in force after the publication of this table, after the exposé. No President would stop it at once.

Mr. TELLER. No; the surveys in advance were stopped in that way.

Mr. STEWART. Yes; as quickly as that was done.

Mr. TELLER. There were thousands and tens of thousands of acres accumulated in that way by the wealthy people of the country, which was against the public interest, but that has not been the condition for many, many years.

Mr. STEWART. No.

Mr. TELLER. I can refer to some very large holdings in Illinois, and I can show that they were purchased under that private-entry law fifty or sixty years ago.

Now, we did not repeal that law as to Missouri for the reason that the senior Senator from Missouri [Mr. COCKRELL] came before the committee and said, "The land in Missouri is open to private entry and has been open to private entry for many years, and occasionally a piece is sold. There has been no abuse of it; there has been no aggregation of large amounts of land." And we omitted Missouri because the condition was different there perhaps from any other section. I asked the Senator the other day whether the failure to repeal the private-entry law had been injurious to the people of that State, and he informed me that it had not.

Mr. COCKRELL. It has been beneficial, instead of injurious.

Mr. STEWART. It was a poor part of the State.

Mr. TELLER. Since 1891 it has not been possible for anybody to make a private entry in that way; but in 1885, in the State of Colorado, there were about 40,000 or 50,000 acres taken in one neighborhood, and a dollar and a quarter was paid for it. It has been lying there open to private entry or to preemption, because it was open to preemption, and it was also open to homestead. It had been surveyed at least twenty years and nobody had cared to take it. Finally some cattlemen went in there and took it all up, as they had a right to do; and no blame could be attached to them or anybody as long as the law existed. One of those concerns has the biggest holding I know of in the State of Colorado, and it is only 16,400 acres. When anybody tells me that the State of Colorado has suffered by these laws, I deny it.

I went to Colorado when not one foot of it had ever been surveyed. Whether it was a Mexican grant or whether it was a public land, it was still unsurveyed.

I have seen it surveyed, and I have seen it entered. I want to contradict the statement made here on this floor that a large per-

centage of it has been illegally and improperly entered. There was some controversy some years ago in southern Colorado. A controversy arose out of the fact that the people had taken coal lands as agricultural lands. The Government had returned it as agricultural land, and the people had a right to take it, and did take it. One case went to the Supreme Court of the United States, where it was alleged that there had been some fraudulent transaction in two quarter sections, and the Supreme Court sustained the title of these holders, saying that the Government had not shown any bad faith nor any corrupt proceeding on their part in the matter. The cry of fraudulent entries will always be made, and it has been made from time to time.

Now, Mr. President, I want to call the attention of the Senate to the fact that if a man takes a homestead, or under the preemption law he takes a preemption claim, or under the desert law takes a desert-land claim, and does not comply with the law the law provides a way by which any man who wants that land can file on it and then come to the Land Office and assert that the law has not been complied with. So every interest in the neighborhood is alive to see that the land is properly entered, and if the land is valuable surely somebody will question the right of a man who is securing it without compliance with the full provisions of the law.

I wish to say a word or two about the homestead law. In 1877, when I was somewhat younger than I am now, but a member of the Senate, a bill came from the House providing for the first desert-land act except one. There had been an act passed some years before applying to two or three counties of California, and then came the act of 1877. At that time there was no necessity in Colorado for a desert-land act. Very little land had been taken.

The opportunity to go upon the public land was open to everybody, and the streams that were used for irrigation could be tapped with very little expense. As I said then, I repeat now, I have known many a farmer to go out upon the prairie and take his homestead and his preemption as he desired, or both, as he could take ultimately, and take his time, and make his own ditch and put the water upon his land with practically no outlay of money whatever. I saw land well watered for 25 cents an acre in those days. I have seen as many acres of that State as any man in it or out of it, and to-day I know of no quarter section that you could put water on for $25 or $30 an acre.

It is said the homestead settler must go upon the land and live there five years. Mr. President, that is an inhibition; that is a prohibition of the right of the settler to go upon the public land. To-day he can not do it unless he combines with others to make homes. Fifty settlers or a hundred settlers combining, in no part of the country I am acquainted with, can make a ditch without help from outside.

It was said the other day in the House of Representatives that there was no land left that settlers would desire to go upon. Mr. President, within 50 miles of the capital of Colorado there is land that, if water were put on it, would be worth $50 or $75 an acre. It will cost every dollar of that amount to put water on it.

Settlers in that section of the State going upon the land when they did not expect to cultivate so much have since cultivated over 40 acres, and have got water for that purpose. They have within the last ten years put in all their own earnings. Nothing has been done by the money of capitalists, but the farmers themselves have increased their water facilities by an expenditure of more than $2,000,000.

So far as I am concerned, I should infinitely prefer seeing the reclamation law to-day repealed to seeing the settlers of my State compelled to rely upon the Government alone for the water to be used on their farms. We have bored through the Continental Divide; we are taking the water that ran originally to the Pacific Ocean, and turning it into the Gulf of Mexico. That can not be done, Mr. President, except by combinations of capital and combinations of men.

Mr. CLARK of Wyoming. Will the Senator from Colorado permit me to interrupt him just at this point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. I do.

Mr. CLARK of Wyoming. I should like to ask the Senator, from his experience and from his knowledge of the situation, whether he believes it possible for a settler to go onto the present unoccupied public domain and make it productive for much less, if any less, money than he would require either in money or in labor to purchase a farm in the agricultural States, so speaking?

Mr. TELLER. In reply to that question, Mr. President, I will say that there are portions of Colorado to-day where you can buy a farm with water on it more cheaply than you can take for nothing 160 acres and put water on it.

In 1882 there was a settlement made in western Colorado upon what is called the Grand River, which runs west and through the Colorado River into the Gulf of California. A large number of settlers went into that valley, which is one of the most fertile valleys on the continent. They went there with the promise that a great eastern corporation would put in a ditch during the summer. They could not raise the slightest thing, except prairie grass, and even that was scarce during that season. You could not have a garden; you could not have even good pasture, unless your cattle went on the mountains. Two or three hundred settlers built their cabins and waited for the company to bring in the water.

There was a provision of law which authorized the Secretary of the Interior under such circumstances to extend the time of settlers for living on their homesteads. Being then Secretary of the Interior, I extended the time of those settlers. What else was there to do? Would it have been just to adhere to the letter of the law, requiring that these men should live upon their homesteads? There was nothing there for them to do. A man could not earn a dollar, because nobody wanted his labor. He had nothing to sell. A year afterwards the ditch company put the water in, and there is nowhere in the world a better specimen of the benefits of the application of water to desert land than in that valley. For miles up and down that river, on both sides of it, is a community as intelligent as any community you can find in New England, in New York, in Pennsylvania, or in any other State. They have there public schools equal to those of any State in the Union. They have orchards and vineyards and fields of grain and everything that goes to make a community great and good.

I had promised that I would not extend my remarks so as to interfere with the Senator from Mississippi [Mr. McLAURIN] or with the Senator from New Hampshire [Mr. GALLINGER], but I have before me data which, I suppose, if I should put in form and discuss would take me a couple of hours longer. I have information here that would show that the statement made on this floor and elsewhere, that the country is being, in the language of the street, "gobbled up" by the cattle owners and others is untrue. With rare exceptions, in this country the farms are growing smaller with every decade. They are smaller than they were twenty or thirty years ago, and they continue to grow smaller as land grows more valuable and products become easier to market and the opportunity for intensive farming increases.

Mr. STEWART. I hope the Senator from Colorado will insert in his remarks all of the material to which he refers.

Mr. TELLER. There is an exception as to this increase in the number of farms, but as a rule they have very largely increased. When they speak about farms, they take the number of farmers and then divide the number of acres to get the aggregate. There is a very large increase in Montana, and there is a slight increase in Colorado. The increase in Colorado comes from the fact that in Colorado a great number of acres of land have been patented in recent years to the old Mexican grant claimants. The increase of acreage in the State of Montana comes from the fact that the railroad, with 17,000,000 acres, has been selling its lands to the people of Montana.

I will venture to say that an examination of the condition of farm lands of the West—I mean now in the land States, as we call them—will show that their condition, so far as a large acreage is concerned, is perhaps less than it has been in the past; that the farms are smaller and not larger, whatever may be said to the contrary.

There is another instance of remarkable increase, and that is in the State of Nevada. The farms there have increased very greatly in area in the last ten years.

Mr. CLARK of Wyoming. The Senator refers to individual farms?

Mr. TELLER. Yes; I am speaking of individual farms. Mr. President, I do not pretend to know how that has happened in Nevada. That is one of the States with which I am not familiar.

Mr. HANSBROUGH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I want to state that I had occasion the other day to look up the figures with respect to the number of desert-land entries in Nevada and the number of commuted homestead entries in Nevada, and I was surprised, in view of the fact that my friend the junior Senator from Nevada [Mr. NEWLANDS] wants these land laws repealed so very badly, to find that since 1881 only seventy men have taken desert-land entries in that State and only ten men have taken commuted homestead entries in that State.

Mr. WARREN. In the entire State?

Mr. HANSBROUGH. In the entire State of Nevada. Those are a good many people for Nevada, but those are the facts.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. NEWLANDS. I hope the Senator from Colorado will kindly yield to me.

Mr. TELLER. I will yield for a question, but not for the Senator to make a speech.

Mr. NEWLANDS. I think it will be necessary for me to take the floor for ten or fifteen minutes, in view of the statement just made by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. TELLER. Then I shall decline to yield to the Senator, because I believe I can hold the floor quite as profitably in this interest as the Senator can for the next ten or fifteen minutes.

Mr. NEWLANDS. Very well. In asking the Senator to yield I wished simply to give him warning as to the amount of time I desire to occupy, so that he might cut me off if he chose to do so.

Mr. TELLER. I have an idea that I know something about this public-land question.

Mr. President, the Senator from North Dakota [Mr. HANSBROUGH] presented some figures to the Senate, which appeared in the RECORD some days since, to which I wish to call attention, and it will only take a moment to do so. That Senator presented a statement showing the acreage and the various classes of public lands specified as disposed of between July 1, 1881, and June 30, 1902, inclusive—twenty-two years. In that time there were proved up for final homestead after five years residence 77,487,849 acres and of commuted homesteads 19,000,000 acres. After hearing the Senator from Montana [Mr. GIBSON], I thought I would inquire at the General Land Office as to how much desert land had been taken in that State since 1877.

By the way, I think I ought to have stated that in 1891 we reduced the area of desert land one-half and made very rigid laws as to the proof of water having been put on. From 1877 down to 1902 1,284,000 acres of land were taken in the State of Montana and under the desert-land act. If you were to listen to the Senator from Montana, you would suppose a million a year had been taken—one-seventeenth of what the railroad company owns. Divide it for the twenty-seven years and it is inconsequential.

What is true of Montana is true of Colorado, and what is true of Colorado is true of many other sections. If you get at the naked facts, you will find what I am going to assert here before I conclude. I am going to assert it, and if anybody wants an investigation into the matter it will be easy to get provision for it through this body. I assert that the movement for the repeal of these land acts is incited and supported in the interest of the men who now own land and not in the interest of the men who want to own land.

The Senator from Oregon [Mr. FULTON] says there are $2,000,000 of scrip out. There is more than $5,000,000 of scrip out. I must say a word about that scrip.

Mr. FULTON. I only referred to the amount of "forest-reserve scrip," so called. I think I said $2,000,000. I am inclined to believe that I underestimated it. There are millions of other scrip that would be benefited in the same way.

Mr. TELLER. By some process, which escaped my attention, there was a provision put into some of the appropriation acts, as I recollect, that if a settler lived inside of a forest reserve he might exchange that land for land outside. No; it was not confined to the settler, but applied to the owner of land as well. If my attention had been called to it I should have tried to confine the provision to the settlers.

What was the result of that, Mr. President? Great forest reserves were made over the land owned by railroad companies. Thereupon the railroad companies exchanged the land inside of forest reserves for scrip, which they could locate somewhere else, and they took the scrip and went on the finest white-pine lands there was left on the continent in the State of Idaho. They filed that scrip which they had received for land that could not be sold for more than a dollar or a dollar and a quarter an acre, and for it they received land worth from four to six dollars an acre. Two hundred thousand acres of that land were offered for sale in this city within the last month by an agent of the railroad company.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield to the Senator from Idaho.

Mr. HEYBURN. When the Mount Rainier Reservation was created no effort was made to determine what portion of it, if any, was mineral land, but the railroad company exercised the right of exchange without regard to whether or not the land within the Mount Rainier Reservation was mineral land and belonged to the railroad company.

Mr. CLARK of Wyoming and others. They scripped it all.

Mr. TELLER. Then I suppose they did scrip mineral lands to which they were not entitled as well as other land. Repeal the homestead law, repeal the desert-land law, and you will make it impossible for a man to get land anywhere unless he owns scrip. He may wait, you say, for the Government to build the irrigating canals. Mr. President, in my judgment there will not be an acre of land irrigated under the reclamation law in the next ten years. These enterprises which the Government has inaugurated are great big enterprises.

Mr. NEWLANDS. Mr. President, will the Senator permit an interruption there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. TELLER. I will yield for a question, but I will not yield for a speech from the Senator from Nevada.

Mr. NEWLANDS. Will the Senator permit a statement?

Mr. TELLER. I will if it is a brief statement.

Mr. NEWLANDS. The Senator states that under the reclamation act there will be no land opened up for settlement within the next ten years.

Mr. TELLER. I did not say that. I said "in my judgment."

Mr. NEWLANDS. That was the Senator's judgment. I have to say that there is an irrigation project now in process of completion in Nevada, and some 50,000 acres of that land, out of a total of 400,000 acres, will be opened up to entry within a few months.

Mr. DUBOIS. Will the Senator from Colorado allow me to say a word just there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield.

Mr. DUBOIS. I want to illustrate the very pertinent idea suggested by the Senator from Colorado [Mr. TELLER], which is all the more pertinent since the remarks of the Senator from Nevada [Mr. NEWLANDS]. If, as the Senator from Colorado says, the commutation clause of the homestead law is repealed, the desert-land law is repealed, and the timber and stone act is repealed, there will be no more money flowing into the reclamation fund, because there will be no land law except the plain homestead law. There are now about $18,000,000 in the reclamation fund derived from the proceeds of the sales of public lands.

Mr. CLARK of Wyoming. Under those laws.

Mr. DUBOIS. Yes; and that is the only way by which money can be secured to be put in this fund, and there will be practically none received under the homestead law.

Of this $18,000,000 in the fund at the present time—I take that amount for illustration—$2,700,000 of it has been set aside to reclaim the Minidoka project, in Idaho. That money can not be used for any other purpose except for that one project. Other amounts have been set aside taking up almost all of the $18,000,000. It will take several years at least to complete the Minidoka project. After that project is completed settlers will take the lands thus made available and pay back to the Government the cost of reclaiming the land, and they will pay it back in installments covering ten years. So that the statement which the Senator from Colorado made is almost literally true, that you render ineffective and inoperative the great reclamation act if you destroy and wipe out these land laws.

Mr. NEWLANDS Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. TELLER. I am not going to yield to the Senator to make a speech. I am going to quit, and he can make a speech if he can get the floor.

Mr. NEWLANDS. Will the Senator yield so that I can make a statement as long as that of the Senator from Idaho?

Mr. TELLER. Go ahead.

Mr. NEWLANDS. I wish to say, Mr. President, that before the repeal of the commutation clause of the homestead act, or the repeal of the desert-land act, or the modification of these laws can be accomplished, there will be at least $30,000,000 in this fund. That $30,000,000 constitutes a revolving fund, for almost as rapidly as the money is spent it is returned by the sale of lands which are reclaimed.

I insist upon it that even if we only have $30,000,000 in that fund by this process of revolving it will eventually reclaim all the lands that are possible of reclamation in the arid region. I regard it as of much more importance——

Mr. TELLER. I can not yield further.

Mr. NEWLANDS. Just one second, in order that I may complete the sentence.

I regard it as much more important to save this great domain for actual settlers and home builders than to increase a fund, which, by the time this modification in the way of reform takes place, will reach $30,000,000, and which will, by this process of revolving, accomplish the entire work.

Mr. TELLER. Mr. President, if the Senator from Nevada and those who think with him had their way, all those laws would have been repealed before to-day. They have pending here a bill for their repeal, and that is what they intended to do when this Congress met. When we were howled at from every side, and all the newspapers of the land, following this man Maxwell's Talisman, published his statements all over the country, it was

expected to startle Senators and compel those living in sections of the country knowing nothing about the subject to repeal those laws instanter. There would not have been a dollar left, in my judgment, if the men who are back of this scheme had been successful. That is what they intended to do—to prevent any money going into that reclamation fund.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. Yes.

Mr. WARREN. I desire to say right there that a similar bill to repeal these identical laws was introduced, pushed, and reported to this body in the last session of Congress.

Mr. TELLER. Mr. Maxwell went before the committee and made the statement—whether the Senator from Nevada was present or not I do not know—that the friends of this repeal had considered this question even before the reclamation act passed and thought it was better to not make the effort for repeal then, but to wait.

Mr. President, when any man comes here and says that this proposed appeal is in the interest of the public, in my judgment he makes a great mistake. I know that in my State, where there has been no stealing of the public land, there is no sentiment for the repeal of these laws, which have been modified from what they were years ago, and in my judgment even the wisdom of the Senator from Nevada can not make them any safer and better than they are now. At all events, Mr. President, I prefer to leave them as they are rather than to trust Mr. Maxwell and his syndicate of railroads, even though they may be backed by Senators.

Mr. NEWLANDS. If the Senator will permit me, I was not on the committee before which Mr. Maxwell appeared. I will state to the Senator from Colorado that while I believe that these statements regarding fraud in the land laws are exaggerated, I also believe that frauds have existed and that frauds are now being accomplished not so much against the letter as the spirit of the law, and it is my desire to see the existing laws so modified as to make fraud impossible and to prevent the waste of the public domain.

My view from the start has been a very moderate one, and that is that we have not been as provident in the administration of our great estate, the public domain, as we ought to have been; that no laws are perfect; that the present laws are not perfect; that they require modification in the interest of honest administration and home building. That is my position. I have no sympathy whatever with the attacks made upon Senators in this body who differ with me. I am controlled in my opinion by no man or set of men; but I am for land reform.

Mr. TELLER. The Senator talks about land reform. He assumes that there are defects in these laws which I assert are not there. He insists that under those laws large areas of land have gone into private hands, which I deny.

I have heard it stated that in the State of Colorado there were large areas controlled by individual owners. There were; but they came from the railroad grants. The large areas in Montana also came from the railroad grants. I have the proof right here that they are not the result of the operation of the desert-land act, but I am not going to stop to read it. I will, however, ask permission to put it in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. TELLER. I will also ask permission to put into the RECORD the statistics with respect to Colorado, and also statistics showing the areas of farms. The statistics are taken from the census reports, so that there will be no question about them.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado.

[See Appendix.]

Mr. TELLER. Mr. President, I will conclude by saying that it has been possible to aggregate large tracts of land in private holdings, first, because of the railroad grants, amounting to 200,000,000 acres, an area, as I said before, equal to that of the thirteen original colonies. More than a hundred million acres of this land has already been patented to the railroad companies, and more is to be patented. Second, in the great amount of land donated under laws to the States.

I have a statement as to the holdings in Colorado, to which I wish briefly to call attention. It shows that with the 3,000,000 acres of railroad land, with the 1,342,000 acres in Mexican grants, with the million under the Carey Act, with the 500,000 for internal improvements, and with the 3,000,000, almost the 4,000,000, acres of school land that has been for sale by the State, there is a large area, about 10,000,000 acres of land, in Colorado that can pass into the hands of private holders otherwise than through the operation of the land laws, and it does so pass into their hands; and while these people who are howling about the land laws may declare that land passes into these holdings by virtue of those laws, the fact is, those laws can not be so manipulated and have not been for the last twelve or fourteen years as to bring about such a result.

Mr. President, I am going to quit. I regret that I could not have had time to show by the statistics the absurdity of the statements made, particularly in the speech of the Senator from Montana [Mr. GIBSON], and in published statements made and read in the House of Representatives within the last week.

APPENDIX.

LAND GRANTED TO RAILROAD COMPANIES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 2, 1904.

Hon. H. M. TELLER, *United States Senate, City.*

SIR: In further response to your letter of the 25th ultimo, I have to advise you that the area of lands granted by Congress to States, Territories, and corporations to aid in the construction of railroads is estimated at 197,000,000 acres, of which a quantity estimated at 35,000,000 acres has been forfeited by subsequent legislation, leaving the estimated area of unforfeited railroad grants 162,000,000 acres. Up to and including June 30, 1903, there had been patented, on account of railroad grants, 103,736,451.58 acres, of which 2,296,871.93 acres are in the State of Colorado, in which State the estimated area of railroad grants is 3,000,000 acres.

I have further to say that the actual amount granted railroads can not be definitely stated until all grants have been adjusted.

The further inquiries contained in your letter will form the subjects of future communications.

Very respectfully, W. A. RICHARDS, *Commissioner.*

LAND AREAS IN MONTANA AND OTHER STATES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 4, 1904.

Hon. HENRY M. TELLER, *United States Senate.*

SIR: In reply to your verbal request of this date, relative to the area of public lands disposed of in the several States and Territories, and separately in the State of Montana, under the desert-land acts of March 3, 1877, and March 3, 1891, I have to advise you that up to and including March 3, 1891, the original entries embraced 6,852,699.02, and the final entries, 1,660,793.66 acres.

From March 4, 1891, to June 30, 1903, inclusive, the area of original desert entries amounted to 5,639,194.06 acres, and of the final entries to 1,839,119.04 acres.

The area of original desert entries in the State of Montana from March 3, 1877, to March 3, 1891, inclusive, amounted to 1,056,815.40 acres, and the area of final entries to 357,645.87 acres. The area of original desert entries from March 4, 1891, to June 30, 1903, inclusive, amounted to 2,087,386.88 acres, and the area of final entries to 704,142.03 acres.

Very respectfully, W. A. RICHARDS, *Commissioner.*

The facts are more clearly brought out in the following tabulated statement:

	Entries in States and Territories.		Entries in Montana.	
	Original.	Final.	Original.	Final.
March 3, 1877, to March 3, 1891	6,852,699.02	1,660,793.66	1,056,815.40	357,645.87
March 4, 1891, to June 30, 1903	5,639,194.06	1,839,119.04	2,087,386.88	704,142.03
Total	12,491,893.08	3,499,912.70	3,144,202.28	1,061,787.90

PATENTED LAND IN COLORADO.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 6, 1904.

Hon. H. M. TELLER, *United States Senate.*

MY DEAR SENATOR: In further reply to your letter of the 25th ultimo, requesting information as to the quantity of land patented, etc., in Colorado since its organization as a Territory, to and including June 30, 1903, I have to state, as to your first inquiry, that as no record has been kept as to area of lands patented, either as a whole or by States or Territories, it is impossible to furnish you with even an approximate statement of the lands patented in Colorado, and to comply with your request would require the services of a large force of clerks for an indefinite period. The following statement is, however, submitted: Total area of Colorado, 63,343,160 acres; area of lands donated to the State, Spanish and Mexican private grants, grants to railroad companies and unappropriated lands to July 1, 1904, 47,730,847 acres; area disposed of by entries made under the various land laws to June 30, 1903, 18,617,313 acres.

To the sixth inquiry:

Donations of land to Colorado.

	Acres.
School lands (secs. 16 and 36 or indemnity therefor), estimated	3,715,555
Academies and seminaries	46,080
Agricultural colleges	90,000
Public buildings	32,000
Penitentiaries	32,000
Internal improvements	500,000
Salt Springs and contiguous lands	46,080
Desert lands (title to vest after proof of reclamation)	1,000,000
Total	5,461,715

To the seventh inquiry:

Private land grants in Colorado.

Baca Float No. 4	99,488
Nolan	48,778
Vigil and St. Vrain (Las Animas)	79,249
Beaubien and Miranda (Maxwell land grant), approximately	265,000
Sangre de Cristo, approximately	750,000
Tierra Amarilla, approximately	100,000
Total	1,342,515

Replies to inquiries Nos. 2, 3, 4, 5, and part of 7 were made by letters of March 31 and April 2, 1904.

Very respectfully, W. A. RICHARDS, *Commissioner.*

Disposal of land in State of Colorado.

Fiscal year.	Original entries of land under the homestead laws.	Commuted homesteads.[a]
	Acres.	Acres.
1864	45,224.80	
1865	24,197.99	
1866	31,265.14	
1867	18,315.86	
1868	6,754.70	
1869	6,609.49	
1870	68,986.59	
1871	93,301.39	
1872	46,579.39	
1873	65,641.07	
1874	83,796.82	
1875	67,955.35	
1876	63,351.05	
1877	38,046.52	
1878	84,994.30	
1879	65,362.42	
1880	98,092.26	
1881	115,550.99	
1882	136,408.88	12,205.96
1883	210,200.43	14,518.24
1884	198,394.92	21,170.68
1885	176,214.39	18,060.58
1886	281,801.14	16,242.93
1887	801,574.79	31,480.19
1888	1,007,554.08	106,245.75
1889	526,377.04	242,732.16
1890	350,907.91	153,090.78
1891	289,015.86	50,040.17
1892	348,554.36	25,836.17
1893	416,772.19	23,356.32
1894	234,580.42	12,842.85
1895	251,150.90	15,446.37
1896	170,533.61	6,507.86
1897	172,628.76	4,026.72
1898	192,812.13	6,348.55
1899	234,665.50	6,309.60
1900	312,784.53	9,381.89
1901	380,698.36	21,551.71
1902	504,903.90	22,623.39
1903	542,245.83	24,807.76
Total	8,765,406.06	844,796.63

[a] Sec. 2301, Rev. Stat.; sec. 2, act of June 15, 1880.

Statement, by fiscal years, of the area of public lands in Colorado disposed of under acts specified below.

Fiscal year.	Timber and stone.[a]	Original timber culture.[b]	Final timber culture.	Timber-culture entries commuted to cash under act Mar. 3, 1891.	Desert-land act.[c]	
					Original.	Final.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1874		2,272.24				
1875		3,453.82				
1876		6,514.22				
1877		3,023.33				
1878		15,474.73				
1879		15,962.03				
1880		29,269.83				
1881		26,473.31				
1882		47,436.05	160.00			
1883		58,685.02				
1884		137,933.07	160.00			
1885		204,983.61	240.00			
1886		719,947.05	480.00			
1887		1,437,636.59	559.00			
1888		970,281.39	760.00			
1889		336,545.68	1,113.72			
1890		206,337.07	3,080.00			
1891		96,932.90	4,700.32	5,759.92	5,216.99	
1892		6,147.52	5,318.73	33,802.45	24,840.00	7,860.71
1893	5,845.38	3,634.18	8,748.44	37,620.67	22,726.10	2,629.75
1894	6,256.96	1,504.45	55,317.47	7,537.93	15,171.91	1,354.59
1895	2,280.00	80.00	71,093.94	5,265.69	10,294.47	2,782.78
1896	3,712.54	119.71	61,289.22	1,661.60	13,503.66	6,593.72
1897	2,987.54		58,931.34	1,175.00	8,031.38	7,097.15
1898	3,419.63		51,488.24	795.20	10,352.97	11,309.98
1899	2,867.95		58,160.38	440.00	14,149.52	9,288.07
1900	14,855.25		44,404.83	80.00	24,222.34	10,860.49
1901	21,223.32		57,287.06		30,562.17	7,551.06
1902	31,656.61		41,681.89	155.80	61,475.54	8,375.11
1903	39,691.18		32,456.28	160.00	72,074.44	8,582.13
Total	134,796.36	4,330,647.80	557,430.86	94,454.26	312,621.49	84,385.54

[a] Acts of June 3, 1878, and August 4, 1892.
[b] Acts of March 13, 1874, and June 14, 1878.
[c] Acts of March 3, 1877, and March 3, 1891, section 2.

Number of acres entered in Colorado from 1893 to 1902, inclusive.

Year.	Pre-emptions.[a]	Original.[a]	Homesteads.[b]		Timber culture.[c]		
			Commuted.	Final.	Original.	Commuted.	Final.
1893	41,430.58	416,772.19	23,356.32	237,807.65	3,684.18	37,620.67	8,748.44
1894	10,679.36	234,580.42	12,722.85	222,774.26	1,504.45	7,537.93	55,317.47
1895	2,640.54	251,150.90	15,446.37	174,033.91	80.00	5,265.69	71,093.00
1896	3,299.30	170,533.61	6,507.86	148,640.01	119.71	1,661.60	61,289.22
1897	742.01	172,628.76	4,026.72	101,683.18		1,175.00	58,931.34
1898	160.44	192,812.13	6,348.55	110,887.37		795.20	51,488.24
1899	592.99	234,665.50	6,309.60	138,361.55		440.00	58,160.38
1900		312,784.53	9,381.89	155,267.83		80.00	44,404.83
1901	160.00	380,098.36	21,551.71	133,267.35			57,287.06
1902	480.00	504,903.90	22,623.39	139,149.54		155.80	41,681.89
Total	60,185.22	2,891,530.26	128,275.26	1,556,872.65	5,388.34	54,731.89	508,401.87

Year.	Desert land.[d]		Timber and stone.[c]	Mineral lands.[c]	Aggregate, all classes.
	Original.	Final.			
1893	22,726.10	2,629.75	5,845.38	10,836.35	890,803.79
1894	15,171.91	1,354.59	6,256.96	8,461.39	427,061.60
1895	10,294.47	2,782.78	2,280.00	5,209.29	482,919.70
1896	13,503.66	6,593.72	3,712.54	12,157.39	311,592.09
1897	8,031.38	7,097.15	2,987.54	12,223.63	326,836.57
1898	10,352.97	11,309.98	3,419.63	17,082.20	327,779.19
1899	14,149.52	9,288.07	2,867.95	10,616.81	409,068.22
1900	24,222.34	10,860.49	14,855.25	15,591.10	781,660.49
1901	30,562.17	7,551.06	21,223.32	18,006.79	655,435.77
1902	61,475.54	8,375.11	31,656.61	21,600.33	1,041,141.33
Total	210,490.06	68,442.70	95,105.18	132,385.28	5,654,298.75

[a] Act of June 2, 1862. [b] Act of May 20, 1862. [c] Act of June 14, 1878.
[d] Act of March 3, 1877. [e] Act of June 3, 1878.

Area and number of farms.[a]

Census.	Number of farms in United States.	Total acreage of farms.	Average acreage of farms.
1850	1,449,073	293,560,614	203.0
1860	2,044,077	407,212,538	199.0
1870	2,659,985	407,735,041	153.0
1880	4,008,907	536,081,835	133.7
1890	4,564,641	623,218,619	136.5
1900	5,737,372	838,591,774	146.2

[a] Does not include Alaska and Hawaii.

Number, total acreage, and average acreage of farms in certain States and Territories, 1850 to 1900, in ten-year periods.

State or Territory.	Census.	Number of farms.	Total acreage.	Average acres per farm.
Alabama	1850	41,964	12,137,681	289
	1860	55,128	19,104,545	346
	1870	67,382	14,961,178	222
	1880	135,864	18,855,334	138.8
	1890	157,772	19,853,000	125.8
	1900	223,220	20,685,427	92.7
Arizona	1850			
	1860			
	1870	172	21,807	127
	1880	767	135,573	176.8
	1890	1,426	1,297,033	909.6
	1900	5,809	1,935,327	333.2
Arkansas	1850	17,758	2,598,214	146
	1860	39,004	9,573,706	245
	1870	49,424	7,597,296	154
	1880	94,433	12,061,547	127.7
	1890	124,760	14,891,356	119.4
	1900	178,694	16,636,719	93.1
California	1850	872	3,893,985	4,466
	1860	18,716	8,730,034	466
	1870	23,724	11,427,105	482
	1880	35,934	16,593,742	461.8
	1890	52,894	21,427,293	405
	1900	72,542	28,828,951	397.4
Colorado	1850			
	1860			
	1870	1,738	320,346	184
	1880	4,506	1,165,373	258.6
	1890	16,389	4,598,941	280.6
	1900	24,700	9,474,588	383.6
Florida	1850	4,304	1,595,289	371
	1860	6,568	2,920,228	444
	1870	10,241	2,373,541	232
	1880	23,438	3,297,324	140.7
	1890	34,228	3,674,486	107.4
	1900	40,814	4,363,891	106.9
Georgia	1850	51,759	22,821,279	441
	1860	62,003	26,650,490	430
	1870	69,956	23,647,941	338
	1880	138,626	26,043,282	187.9
	1890	171,071	25,200,435	147.3
	1900	224,691	26,392,057	117.5
Idaho	1850			
	1860			
	1870	414	77,139	186
	1880	1,885	327,798	173.9
	1890	6,603	1,302,256	197.2
	1900	17,471	3,204,903	183.4
Iowa	1850	14,805	2,736,064	185
	1860	61,163	10,069,907	165
	1870	116,292	15,541,793	134

Number, total acreage, and average acreage of farms, etc.—Continued.

State or Territory.	Census.	Number of farms.	Total acreage.	Average acres per farm.
Iowa	1880	185,351	24,732,700	133.5
	1890	201,903	30,491,541	151
	1900	228,662	34,574,337	151.2
Kansas	1850			
	1860	10,400	1,778,400	171
	1870	38,202	5,656,879	148
	1880	138,561	21,417,468	154.6
	1890	166,617	30,214,456	181.3
	1900	173,098	41,662,970	240.7
Indian Territory	1850			
	1860			
	1870			
	1880			
	1890			
	1900	45,505	7,269,081	159.7
Louisiana	1850	13,422	4,989,043	372
	1860	17,328	9,208,576	536
	1870	28,481	7,024,817	247
	1880	48,292	8,273,506	171.3
	1890	69,294	9,544,219	137.7
	1900	115,969	11,059,127	95.4
Michigan	1850	34,089	4,383,890	129
	1860	62,422	7,060,834	113
	1870	98,786	10,019,142	101
	1880	154,200	13,807,240	89.7
	1890	172,344	14,785,636	85.8
	1900	203,261	17,581,698	86.4
Minnesota	1850	157	28,881	184
	1860	18,181	2,711,968	149
	1870	46,500	6,483,828	139
	1880	92,386	13,408,019	145.1
	1890	116,851	18,663,645	159.7
	1900	154,059	26,248,498	169.7
Mississippi	1850	33,960	10,490,419	309
	1860	42,849	15,859,624	370
	1870	68,823	13,121,113	193
	1880	101,772	15,855,462	155.8
	1890	144,318	17,572,547	121.8
	1900	220,893	18,240,736	82.6
Missouri	1850	54,458	9,732,670	179
	1860	92,702	19,984,810	215
	1870	148,328	21,707,220	146
	1880	215,575	27,879,276	129.3
	1890	238,043	30,780,290	129.3
	1900	284,886	33,997,873	119.3
Montana	1850			
	1860			
	1870	851	139,537	164
	1880	1,519	405,683	267.1
	1890	5,603	1,964,197	350.6
	1900	13,370	11,844,454	885.9
Nebraska	1850			
	1860	2,789	631,214	226
	1870	12,301	2,073,781	169
	1880	63,387	9,944,826	156.9
Nebraska	1890	113,608	21,593,344	190.1
	1900	121,525	29,911,779	246.1
Nevada	1850			
	1860	91	53,118	617
	1870	1,066	208,510	201
	1880	1,404	530,862	378.1
	1890	1,277	1,661,416	1,301
	1900	2,184	2,565,647	1,174.7
New Mexico	1850	3,750	290,571	77
	1860	5,086	1,414,909	278
	1870	4,480	833,549	186
	1880	5,053	631,131	124.9
	1890	4,458	787,882	176.7
	1900	12,311	5,130,878	416.8
Dakota Territory	1850			
	1860	123	26,448	215
	1870	1,720	302,376	176
	1880	17,435	3,800,656	218
North Dakota	1890	27,611	7,660,333	277.4
	1900	45,332	15,542,640	342.9
South Dakota	1890	50,158	11,396,460	227.2
	1900	52,622	19,070,616	362.4
Oklahoma	1890	8,826	1,606,423	182
	1900	62,495	15,719,258	251.5
Oregon	1850	1,164	432,808	372
	1860	5,806	2,060,539	355
	1870	7,587	2,389,252	215
	1880	16,217	4,214,712	259.9
	1890	25,530	6,909,888	270.7
	1900	35,837	10,071,328	281
Utah	1850	226	46,849	51
	1860	3,635	89,911	25
	1870	4,908	148,361	30
	1880	9,452	655,524	69.4
	1890	10,517	1,323,705	125.9
	1900	19,387	4,116,951	212.4
Washington	1850			
	1860	1,330	366,156	275
	1870	3,127	649,139	208
	1880	6,529	1,409,421	215.9
	1890	18,056	4,179,190	231.4
	1900	33,202	8,499,297	256
Wisconsin	1850	20,177	2,976,658	148
	1860	69,270	7,893,587	114
	1870	102,904	11,715,321	114
	1880	134,322	15,353,118	114.3
	1890	146,409	16,787,988	114.7
	1900	169,795	19,862,727	117
Wyoming	1850			
	1860			
	1870	175	4,341	25
	1880	457	124,433	272.3
	1890	3,125	1,830,432	585.7
	1900	6,095	8,124,536	1,333

LANDS DISPOSED OF UNDER VARIOUS LAWS.

Statement showing the acreage of public lands of the various classes specified below disposed of between July 1, 1881, and June 30, 1902, inclusive, in the several States and Territories.

State or Territory.	Timber and stone lands.	Final desert entries.	Commuted homesteads under section 2301, Revised Statutes.	Final homesteads.	State selections approved for educational and public purposes.	Railroad grants patented.	Wagon-road grants patented.	Swamp lands approved.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Alabama			211,963.00	3,424,593.55	136,958.29	107,140.63		17,722.96
Alaska				1,960.45				
Arizona	200.00	221,906.29	72,187.39	286,469.31	36,890.14	1,533,429.67		
Arkansas	22,998.92		123,695.29	4,015,708.18		204,717.66		62,086.43
California	1,951,412.04	262,417.66	829,732.69	3,831,690.60	532,808.94	4,574,464.48		410,618.00
Colorado	134,796.36	84,385.54	881,296.21	2,690,844.46	983,587.33	2,539,113.82		
Dakota Territory			3,279,172.08	4,447,599.70				
Florida	247.51		196,507.89	1,873,128.35	121,562.09	436,393.71		8,533,373.55
Idaho	329,512.37	446,048.83	206,462.27	1,675,628.41	585,743.20	656,269.70		
Illinois			160.00	831.01				3,752.62
Indiana				509.35				1,122.62
Iowa	39.46		6,449.24	69,621.35		80,184.32		15,407.23
Kansas			2,246,315.82	7,222,154.72	31,455.89	3,503,002.72		
Louisiana	34,635.57		164,828.28	1,769,611.15	127,408.32	1,086,989.47		663,932.85
Michigan	50,440.40		211,145.12	911,263.72		30,699.35		10,027.65
Minnesota	557,358.73		722,732.13	4,962,212.99	272,073.02	2,455,309.50		2,070,517.39
Mississippi			127,691.62	1,922,739.14	100,791.23	136,643.78		270,267.73
Missouri			28,408.11	2,190,424.37	12,348.00	4,228.64		44,344.35
Montana	171,976.83	1,284,431.26	383,120.77	1,573,776.74	961,621.16	6,611,082.73		
Nebraska			2,292,663.46	7,009,201.02	96,868.65	3,538,046.49		
Nevada	1,381.11	22,525.28	1,823.02	33,938.24	2,020,797.43	1,703,077.57		
New Mexico		175,251.55	109,831.01	936,136.18	831,164.31	409,819.69		
North Dakota	2,856.86	1,878.74	1,668,858.74	3,674,955.43	751,202.77	9,054,015.28		
Ohio			139.41	274.89				611.24
Oklahoma			1,074,465.73	6,070,949.00	292,371.03			
Oregon	1,447,472.27	90,356.25	529,695.00	2,940,670.73	456,928.35	2,964,710.89	1,179,139.96	240,506.55
South Dakota	8,313.16	400.00	396,450.63	3,533,931.91	810,449.73			
Utah	240.00	258,394.47	42,528.79	904,869.16	1,082,913.21	2,036,217.38		
Washington	1,295,041.55	33,642.21	777,618.99	3,737,278.51	767,243.73	7,970,101.93		
Wisconsin	51,483.27		204,180.60	1,406,143.60		964,777.61		213,068.62
Wyoming	101,637.76	811,669.68	142,455.28	745,983.94	1,015,646.70	5,435,473.32		
	6,169,044.17	3,693,307.76	16,882,488.57	73,910,849.76	12,008,883.52	58,040,969.34	1,179,139.96	12,657,359.79
July 1, 1902, to June 30, 1903	1,766,000.00	265,000.00	2,195,000.00	3,577,000.00	644,000.00	5,760,000.00	57,000.00	2,910,000.00
Total	7,935,044.17	3,958,307.76	19,077,488.57	77,487,849.76	12,652,883.52	63,800,969.34	1,236,139.96	15,567,359.79

WHAT IS MEANT BY AN ACRE-FOOT.

DENVER, COLO., *July 14, 1903.*

Hon. H. M. TELLER, *Denver, Colo.*

DEAR SIR: The "acre-foot" is a term used by engineers to indicate the amount of water that would cover each acre 1 foot deep. It would therefore amount to 43,560 cubic feet; hence, 10 acre-feet would cover 10 acres 1 foot in depth, or 1 acre 10 feet deep. The term was used because cubic foot was not applicable for such a purpose.

In taking a considerable tract of land a depth of 1½ feet in addition to the rainfall is sufficient at the same time for individual use or for him to have at least 2 cubic feet in depth available. He may lose some of this, but it may go by his neighbors and other ditches, so that even if the individual is wasteful, it does not necessarily mean that the community is extravagant.

Trusting that this will answer your question, but, if not, I shall be glad to go into it in fuller detail, I remain,

Respectfully, yours, L. G. CARPENTER, *State Engineer.*

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 Senate to the following bill and joint resolution:

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

ENROLLED BILLS SIGNED.

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

A bill (S. 3165) providing for second and additional homestead entries, and for other purposes;

A bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

A bill (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston;

A bill (S. 5169) making Lewes, Del., a subport of entry;

A bill (H. R. 7264) to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

A bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery; and

A joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry of the United States.

KLAW & ERLANGER.

Mr. McLAURIN obtained the floor.

Mr. PLATT of New York. Mr. President——

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

Mr. McLAURIN. If it is only for a report, I will yield.

Mr. PLATT of New York. It will not take five minutes.

Mr. McLAURIN. I can not yield for anything except to make a report.

Mr. PLATT of New York. I wish to report a bill and have it passed.

Mr. McLAURIN. I can not yield for that purpose. The Senator from New Hampshire [Mr. GALLINGER] desires to move an executive session, and it is somewhat by his courtesy that I have the floor.

Mr. GALLINGER. If it is agreeable to the Senator from Mississippi, I will join with him in allowing this report to be made and the bill to be considered.

Mr. McLAURIN. I yield for that purpose.

Mr. PLATT of New York. I thank the Senators very much. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger, to report it without amendment, and I ask unanimons consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury, upon the production of satisfactory evidence to him of the destruction by fire of certain theatrical scenery, property, and apparel imported under the provisions of paragraph 645 of the tariff act of July 24, 1897, to cancel a certain bond executed by the firm of Klaw & Erlanger.

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

JUNEAU (ALASKA) PORT OF ENTRY.

Mr. FRYE (Mr. KEAN in the chair). Will the Senator from Mississippi, who is a very courteous gentleman, yield to me for one minute?

Mr. McLAURIN. If the Senator from New Hampshire has no objection, I will do so.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska, to report it favorably without amendment.

The Treasury Department is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

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

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

Mr. FRYE. I am obliged to the Senator from Mississippi.

Mr. McLAURIN. The Senator from Maine is welcome.

PENSION POLICY, TRUSTS, ETC.

Mr. McLAURIN. Mr. President, in the present rattled condition of the Republican party the public prints announce that a consultation of the leaders with the head of the party has resulted in an edict that hereafter the tactics of those who would defend the Administration must be to assail the Democratic party rather than to rely upon the rectitude and legality of the conduct of the Republican Administration. This is an implied and almost express admission that the Republican position is indefensible.

When attention is directed to the unauthorized executive legislation contained in the pension order of March 28, 1904, arbitrarily fixing the age of 62 as the period when disability to perform manual labor invariably suddenly fixes itself upon a man, and when it is shown that the fixing of this or any other age limit for pensions is exclusively a prerogative of Congress, the Republicans impliedly admit it by retorting that Mr. Cleveland's Administration did a like thing when it fixed the age limit at 75.

Indeed, the indefensibility of this Administration has manifested itself throughout in the effort to draw attention from its delinquencies and even violations of law and usurpations by attempting to show some parallel case in the instance of some Democrat. They have become so accustomed to it that I imagine when they are called for trial in the final judgment for admittance to the courts of glory or consignment to the lower regions, and are presented with a long list of their sins, they will undertake to justify themselves by saying that there are Democrats equally sinful.

If the Republican Administration is as it ought to be, if it is such that it can permit the light to be thrown in on it and let all the people in the country view its workings, it has no need of comparing itself with a Democratic Administration, unless it holds that a Democratic Administration is such an exemplar of purity, capability, and efficiency that anything which approaches it must necessarily pass muster.

In discussing the pension order made by the Commissioner, I do not impugn the integrity of the Commissioner; I do not impute to him corrupt motives. The trouble I think grows out of the fact that the Administration has been permitted to do so many things unwarranted by law, and has arrogated to itself so much unconstitutional and unlawful authority that it has reached the opinion that it is not bounded by any constitutional or legislative restraints.

The order of the Commissioner is not a rule or a regulation, but an order making a law, or rather changing a law, or, to be more accurate, abrogating a law. The law enacted by Congress says:

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after the passage of this act, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same.

This clearly, to every unbiased mind, puts every case on its individual merits and leaves it to him who is appointed to try the case to determine when due proof of the fact of disability is made in each particular case, so that it must stand alone on its own merits. But the Commissioner's order says that when applicants reach the age of 62 they are not required to make any proof; but that the burden of proof shall shift to the Government to show that they are not disabled, notwithstanding the law requires them to show that they are disabled.

The Government itself is granting the gratuity, and it is idle

to suppose that the Government would constitute itself a defendant to rebut a prima facie case against its gratuity.

It never was supposed by Congress that, in authorizing the Secretary of the Interior, who is a ministerial officer of the executive department, to make rules and regulations for the taking of proof, it was conferring upon him legislative power. Indeed, it is beyond the constitutional power of Congress to delegate to the Secretary of the Interior the power to make laws.

Congress can establish courts with judicial functions, and it can confer ministerial authority upon the Secretary of the Interior, but it can not authorize either the courts or the executive and ministerial officers to make laws.

Manifestly the rules and regulations mentioned in the law as being within the authority of the Secretary of the Interior to make had reference to mode and form, and time and circumstance, and not to substance.

The case of Hamilton *v.* Dillin (21 Wallace), cited by the Senator from Wisconsin, sustains this position.

In 1861 Congress authorized the President to declare certain States to be in insurrection and to prohibit commercial intercourse between them and the other States of the Union, but authorized him to license such persons as he chose to trade with the people of the insurrectionary States in such articles and for such time as he should name under the rules and regulations to be made by the Secretary of the Treasury.

He licensed the plaintiff in that case to trade in the prohibited territory in cotton on condition that he would obey the rule and regulation made by the Secretary of the Interior to pay 4 cents a pound upon all the cotton bought and sold by him. The plaintiff accepted the conditions, paid the amount required for the license, and afterwards sued for its recovery from the surveyor of the port at Nashville. The Supreme Court, on page 89, said:

> These public acts of the executive department must be construed as one system. The license of the President to hold commercial intercourse can not be separated, in determining this controversy, from the Treasury regulations which were adopted for the government of that intercourse.

On page 91, the court said:

> The Government chose to impose this condition. It supposed it had a right to do so. No one was bound to accept it. No one was compelled to engage in the trade. Not the least compulsion was exercised. The plaintiffs endeavor to put the case as if they were obliged to pay this exaction to save their property. This is not a true view of it.

On page 92 the court says:

> It is conceded that in many cases the power to make rules and regulations on a particular subject is a limited power, having respect to mode and form and time and circumstance, and not to substance. But it must also be conceded that in other cases the power is much more extensive and substantial.

This shows that the rule is as first stated, and the other cases make the exception. The court illustrates the exception by referring to the several powers granted in the Constitution, and then says, on page 93:

> The extensive effect given to these clauses is undoubtedly largely due to the character of the instrument and that of the donee of the powers, to wit, the Legislature of the United States, to whom the grant of a power means the grant of a branch of sovereignty. It shows, however, that the rule of construction depends, at least in some sort, upon the nature of the subject-matter.

It is one thing for the people in convention assembled to apportion the power of government among three separate departments, conferring upon each a branch of sovereignty, and another thing to authorize the imposing of a condition upon the granting of a license, and still another thing to authorize a ministerial officer to make rules and regulations for the taking of testimony to prove a certain fact.

Indisputably it was the intention of Congress that the disability mentioned in the act should be proved like other facts are proved—by evidence; and it will not be denied by a good lawyer that the known laws of evidence were to be applied, that the laws of evidence as they existed at the time of the passage of the act were to control.

Evidence is said to include all the means by which any issue or fact the truth of which is submitted to investigation is proved or disproved. Proof is the effect of the evidence.

In arriving at proof resort is sometimes had to presumptions. There are presumptions of law and presumptions of fact. Presumptions of law are divided into conclusive and disputable, but as Republican Senators admit that the presumption sought to be established by the Executive order is not a presumption of law, I do not deem it necessary to discuss presumptions of law. These presumptions—that is, of law—are presumptions that are fixed by law and that are either conclusive or disputable. The trial court charges them to the jury.

Greenleaf on Evidence, section 44, speaking of presumptions of fact, says:

> They are in truth but mere arguments, in which the major premise is not a rule of law; they belong to any and every subject-matter, and are to be judged by the common and received tests of the truth of propositions and the validity of arguments. They depend upon their own natural force and efficacy in generating belief or conviction in the mind, as derived from those connections, which are shown by experience, irrespective of any legal relations. They differ from presumptions of law in this essential respect, that while those are reduced to fixed rules, and constitute a branch of the particular system of jurisprudence to which they belong, these merely natural presumptions are derived wholly and directly from the circumstances of the particular case, by means of the common experience of mankind, without the aid or control of any rules of law whatever.

It is thus seen that presumptions of fact are not rules laid down by a superior to an inferior, but they are deductions drawn by the trier of the issue of fact in each individual case.

Congress thought the exclusive prerogative of prescribing presumptions pertained to it, and, therefore, in March, 1896, enacted that the continued and unexplained absence of an enlisted man or officer from his home and family for a period of seven years, during which period no intelligence of his existence had been received, should create the presumption that he was dead.

What was the necessity of this if the Secretary of the Interior could make such a law of presumption? Congress enacted that the loss of the sight of both eyes, or the loss of both hands, or the loss of both feet constituted total and permanent helplessness, for which a pension was granted, and in the same section provided that if any other injury resulted in total and permanent helplessness, the ex-soldier should be pensioned.

This shows that it was understood by Congress that if any particular physical defect is to be held as constituting total helplessness or disability, it must be prescribed by Congress; otherwise the trier of the question of disability or total and permanent helplessness must hear all the evidence applicable to that particular case and decide for himself whether the helplessness or disability exists.

Mr. MALLORY. Will the Senator from Mississippi permit me to suggest to him also that in the act of March 3, 1885, Congress provided:

> That all applicants for pensions shall be presumed to have had no disability at the time of enlistment; but such presumption may be rebutted.

Mr. McLAURIN. Just so. I am indebted to the Senator.

If the Commissioner were himself hearing the case and the mere fact of the age of 62 were in that particular case sufficient to satisfy his mind that the applicant is disabled, from his finding there would be no appeal; but if he has submitted the question to some one else to try it, that other ought to be permitted to consider every fact and circumstance bearing upon the question, untrammeled by any arbitrary rules of decision laid down by the Commissioner or the Secretary of the Interior.

Chancellors are authorized by legislative enactment to make rules to govern trials in the courts over which they preside, but they are not thereby authorized to change the law, nor to make rules affecting the force and legal effect of the evidence. The act of Congress proceeds upon the presumption or assumption that every applicant is able to earn a support, else there would be no sense in requiring him to prove disability to do so. He must establish his disability by the proof in his individual case if the law is to govern. If the Executive order is to govern, it repeals the law, and he need not establish his disability.

The idlest yet is the pretense that the Commissioner has ascertained, by his handling of pension applications, that 62 years is the age when disability invariably suddenly obtains. If the Commissioner were examining all men of the age of 62, while he would not have legal right to make a law on the subject, he could assert with some degree of assurance that he finds that at 62 years of age men are invariably disabled.

But no men appear before him for examination except those who claim to be disabled. He can only ascertain of those claiming disability the proportion of the disabled to those who do not prove disability. The able-bodied do not appear before him for examination. Therefore he can not better than other men have the means of knowing the proportion of disabled to the able-bodied men at the age of 62 years.

I am going to digress here far enough to read an article in Public Policy, edited by one who claims to have been a private soldier in the Third Michigan Infantry and a second lieutenant in the Twenty-first Michigan Infantry from 1861 to 1865.

I do not adopt this as a part of my speech, but I read it for the purpose of showing to the Senate and to the country the view that is taken of this pension order by one, at least, of the ex-Union soldiers who fought in the war between the States. Here is what he said. It is headed "The largest bribe ever paid for votes:"

> We shall undoubtedly be severely criticised for calling the recent service-pension order a bribe for votes. We are willing to submit to the criticism if our characterization of this order can be serviceable in securing the repudiation of the order by those having the power to do so. From all that has been said upon this subject we present four articles in this issue:
> 1. "Billions for pensions."
> 2. "The service-pension order."
> 3. "Rescind the pension order."
> 4. "The President and pensions."
>
> We have always felt the manner in which pensions have been authorized

and paid to the Union soldiers of the civil war to be robbery—robbery of the people who are taxed for the purpose of the payment; robbery of the soldiers in whose behalf the payment is solicited and authorized. This robbery is the only stain on the honor of those who fought in 1861-1865 that a government of the people, by the people, for the people might not perish.

The payment to them and their beneficiaries forty years after the conflict of nearly $140,000,000 annually, and the payment to them since 1866 of the enormous amount of $2,960,158,000, as shown by the table given in the article, "Billions for pensions," robs every soldier of all prestige for his loyalty and patriotism and reduces him to the level of a despised Hessian, bought by money to fight as ordered. The disgrace is deeper dyed than even this. The payment of this money not only teaches that loyalty and patriotism have their price and are things to be paid for; it also teaches that the political action of American citizens has its price and can be openly bought for cash openly paid.

No intelligent person can suppose for a moment that pension laws would have been enacted and pension payments made, as has been done, had there been no vote-winning consideration to influence such actions. Nor can there be any reasonable doubt that its supposed power to win votes was the determining cause that led to the issuing of the recent service-pension order, committing the Government to the payment of some $7,000,000 annually for many years as a bribe for the votes it may win. Our prayer is that the American people and the loyal soldiers of 1861-1865 will resent this latest insult to their honor in ways that will forever render its repetition impossible.

If pension payments were designed solely to compensate those who suffer from disabilities caused by army service, they would be based upon such disability and not blindly given to all soldiers, regardless of their present earning capacity or their need of financial assistance. Proof of the need of pension should include proof of existing incapacity to earn a comfortable living or to obtain such a living from property owned, as well as proof of service rendered. Were pension payments based on such considerations they would be a genuine expression of the gratitude of the people, and could in no way place upon the recipient the stigma of receiving a price for his loyalty or patriotism.

Pension payments so made would not exceed an aggregate of $40,000,000 annually. They would not be a burden upon the resources of the people, nor would they lower the honor of American citizenship.

We appeal to our comrades of 1861-1865 to repudiate this last bribe for their votes with insistent energy and demand that this disgraceful order be repealed by Executive action or by a more drastic method—an act of Congress.

To prevent any criticism of our views on this subject, based on the supposition that we are not of those who may be benefited by this order, we state that our service record can be found as that of a private soldier in the Third Michigan Infantry, and a second lieutenant, Twenty-first Michigan Infantry, 1861-1865.

But I have said more than I intended to say on this branch of the subject. It is not because I object to the granting of pensions in meritorious applications, but it is because I object to the exercise of legislative power by an executive or judicial officer that I criticise this legislative order.

Congress is the representative of the people. Its power and authority is the power and authority of the people, and they, the people, have a right to demand of those who discharge its functions that they shall neither surrender its power nor lower its dignity. Through Congress alone can the people be heard. The heads of governments are always reaching out for more power and more authority, and the Congress upon whom is devolved the duty of resisting such encroachment by the head of this Government would be unworthy of the people and unworthy of itself were it to surrender any of its legal functions or dignity.

Without a Congress to make laws for and limit the powers of the Executive, we would have as unlimited a monarchy as that of Russia under whatever title the head of the Government might be denominated. The Constitution has seen proper to establish this branch of the Government and to define its powers, its authority, and its duties, and no man is worthy of a seat in it who is willing to surrender to either of the other departments of Government any of the powers or authority confided to it, or to neglect the duties imposed upon this body.

While I am on the subject of this pension order, I will take this occasion to say that my greatest objection to the entire pension system is its inequality. The Senator from Wisconsin [Mr. SPOONER], who rose above politics, yet could see nothing that redounds to the advantage of the Democratic party nor anything of the usurpations of the Republican party, however boldly they stood out before his face, said in his speech a few days ago that the pension laws were enacted by a generous and just Congress. I do not question the generosity of Congress; I deny the justice of Congress in pension legislation.

Equality of treatment by the laws is justice, yet when pensions are being distributed between Union soldiers and officers, the private soldier receives less than one-half as much as the officer under the same circumstances and in the same condition of case. It is not equality, and therefore not justice. There can be no reason for it. It will not do to say that the officer rendered more service to the country, and, therefore, is entitled to more pension, because the pension is not predicated upon service.

To prove this it is only necessary to refer to the fact that there is no service-pension law, and if there were such a law, then there could still be no reason for such inequality. The Government is not paying the pensioners for service rendered. The salary paid to the officers and soldiers during the war was the payment they received for their services, understood to be such by the Government and themselves when they enlisted or were commissioned in the service.

But the pension is a testimonial of the gratitude of the country to those who fought its battles. Will any man contend that the Government owes a greater debt of gratitude to its officers in the Army than to its private soldiers? I would hear him speak. The private soldier carried his knapsack, his rifle, his blanket on the march, and when night came he stood guard while the officer slept comfortably in his tent, whether the elements were propitious, the earth frozen with cold, flooded with rain, or making music to the falling of sleet.

With benumbed hands he held his gun, while he walked on feet aching from cold, in wet clothing frozen until they crackled, for hours on sentry duty, and when the "imminent deadly breach" came he stood in the very front of danger, and for this he received $13 per month, while the salaries of officers reached into the hundreds. Can it be possible that there is a less debt of gratitude to him than to such officers?

As I have said, it can not be put upon the ground that the services of the officers redounded to greater advantage to the country, for this is not a payment for services but a tribute of the gratitude of the Government. But if there are any to make such claim, I refer them to the case of the poor widow who threw into the treasury her two mites, making a farthing, while others threw in large sums of money, yet the Saviour said that she gave more than they all, because while they contributed of their abundance she of her want cast in all of her living.

If the Secretary of the Interior or the Commissioner of Pensions had a right to change the pension laws, as is assumed in the order under discussion, I call upon him to change it so that the private soldier and the officer shall receive the same amount of pension in the same condition of case, taking all the money that is appropriated for pensions and distributing it equally between the pensioners, both officers and men, and to that extent raising the pension of the private soldier to an amount equal to what the officer shall receive.

There is another thing that is unjust. It is unjust to require men to make certain proof in order to entitle them to pension, and then pass private acts giving pensions, and that in larger amounts, to others who have not conformed and who can not conform to such requirements. The pension laws ought to be equal and uniform. There ought not to be such a thing as a private pension. All men under like circumstances and like condition ought to be benefited alike, and there ought to be no private pension giving to one when others equally as meritorious are denied.

While the Commissioner of Pensions or the Secretary of the Interior is making pension laws, I invite his attention to the correction of this flagrant injustice. Of course I know he has no constitutional or legal power or authority to do this, but he has just as much authority to do this as he has to make an order fixing the age of 62 as that at which all men invariably suddenly become disabled. But Congress has the power to correct this injustice, and it ought to do so.

While Republican Senators have been quick to charge that Democrats have been influenced by partisan considerations in what we have said, no such charge can lie at their door, for they have said so; yet we must be pardoned for hesitating to believe that they entirely understand themselves when they disclaim any partisan motives.

Disrobed of partisan considerations, surely the speech of the Senator from Wisconsin would have been on a different key. In eulogy of the present Administration he defends the President against any assault that could be made upon him for prosecuting the merger trust case. He selects to defend where nobody had accused. He fancies a charge against the President and answers it. He says that this trust was discovered by some western governors, I believe. But whoever discovered it, the Attorney-General found it out and pursued the trust, which goes to the credit of the President of the United States as that much duty performed.

What about the beef trust raising the price of beef to the poor to starvation heights, and the steel trust, and the sugar trust, and the oil trust? The Senator from Iowa [Mr. DOLLIVER] says there are 318 trusts. What has he done with the other 317? They are surely not hidden; for if the Senator from Iowa could find them, why could not the President find them?

But, says the Senator from Wisconsin, the President appointed an arbitration board at the request of the coal barons and coal strikers to arbitrate their difference, and this is a great feat of American statesmanship. But has it done anything to destroy the coal trust—to prevent the recurrence of conditions which existed when there was fear all over the land that there would be millions of people frozen to death for want of fuel, and when a carload of coal couldn't run through the country because it would be seized by freezing people, rich and poor alike, in protection of their lives?

The Senator from Wisconsin extols the President as a trust destroyer because he has instituted legal proceedings against one trust out of 318, admitted by the Senator from Iowa to exist.

Why has not the sugar-refining trust been prosecuted by legal

proceedings? It seems to be so much in favor with both the Executive and the Republican majority in Congress that a special session of Congress was called for its benefit.

Enough recalcitrant Republicans were found to join the Democrats to put on an amendment to the Cuban reciprocity bill that would hold the hands of the sugar trust out of the pockets of the people; but another expedient was found in the negotiation and ratification of the treaty that would feed the greed of the sugar trust, and that it might be carried into effect a special session of Congress was called to enact a law for its effectuation.

When one Republican extols the President as a trust destroyer, because he instituted legal proceedings against one trust, and another virtually defends the trusts, it is not surprising that the Republican leaders should consider themselves reduced to that extremity where the only way they can find to defend the conduct of their party is to attract attention from it by alleging that Democrats have been as guilty as they. Listen to this from the Senator from Iowa:

> Whatever may be said in condemnation of the trust evil, there are mighty few thoughtful citizens who have ever had any temptation to kill them off by remedies which have never failed to produce the industrial misfortune out of which we escaped in 1896.

That is to say, that if you kill off the trusts you will revert to conditions of 1896; therefore you should not kill off the trusts. The same Senator said, in discussing the Democratic proposition that the protective tariff is the mother of trusts:

> I do not deny that free trade may be counted upon with reasonable certainty to cripple, if not destroy, almost any industry which it comes in contact with.

Thereby treating the trusts as an industry that ought not to be destroyed.

The Democratic proposition is not between free trade and protection for protection's sake. The proposition is to reasonably revise the tariff. Republicans say they ought to be permitted to revise it; they have been permitted to revise it, and it has not been revised; they have for two Administrations had both the executive and legislative departments of Government, and there has been no revision. And they now whip with the party lash every man who dares to utter any desire for the revision of the tariff.

If the Senator from Iowa is correct in his assertion that free trade would cripple if not destroy the trusts, then the trusts have not only been created but have been kept alive by a protective tariff.

Given the markets of this country, the trusts have raised the prices of their goods to such an extortionate amount that they have thereby raised the money to fight legitimate competition in other countries, and they are waging a war of extermination against all competing industries in other countries.

For instance, the trusts sell in foreign countries the products of the trusts at from 25 to 125 per cent cheaper than they sell the same articles at home, the purpose being to drive their competitors out of business in foreign countries, so that the purchasers here will have no place to look for relief from the extortionate prices demanded of them from the trusts.

At this point I wish to read just a short extract on the question of protection from a book entitled "Thomas H. Benton," by Theodore Roosevelt:

> Political economists have pretty generally agreed that protection is vicious in theory and harmful in practice; but if the majority of the people in interest wish it, and it affects only themselves, there is no earthly reason why they should not be allowed to try the experiment to their heart's content. The trouble is that it rarely does affect only themselves; and in 1828 the evil was peculiarly aggravated on account of the unequal way in which the proposed law would affect different sections.
>
> It purported to benefit the rest of the country, but it undoubtedly worked real injury to the planter States, and there is small ground for wonder that the irritation over it in the region so affected should have been intense.

The Senator from Wisconsin demands to know wherein the President is unsafe. Personally I do not criticise the President, but as a President I think it is hardly necessary to point out to a reading public wherein he is unsafe. He entered into the domain of a republic with which we were at peace and refused to permit it to exercise sovereignty over its own territory. He took as a pretext a treaty that we made in 1846 with that country, wherein the United States guaranteed to defend the sovereignty of that Government and to keep open the channels of commerce between the two oceans.

Does any man in his senses believe that it was the intention of the Government of New Granada, when that treaty was made, that the Government of the United States should exclude the Government of New Granada from its own territory or from the exercise of sovereignty over its own territory? Treaties are to be construed like any other contracts, by the intention of the contracting parties.

Nobody believes that such was the intention, either of the United States or of New Granada, of which Colombia is the successor, and all this for the purpose of protecting what was alleged to be the rights of a French corporation composed exclusively of citizens of France. If not done for the purpose of protecting the alleged rights of the Panama Canal Company, why does the President say that the "plan" "was fitly to end in further injury to the citizens of a friendly nation, whose enormous losses in their generous efforts to pierce the Isthmus have become a matter of history?"

If that is not its meaning, what is its significance? And it can not be supposed that the President sent to Congress a message in an important matter like this, if in any matter, containing idle and meaningless language. It will not with any degree of reason be contended that Great Britain, Germany, Russia, France, Austria, or Italy would have submitted to the treatment to which Colombia was subjected without war.

If that is so, and the President were to take it into his head to override one of these great powers, as he did Colombia, we would at once be involved in a war. Is not such a man unsafe? But it may be answered that there is no danger of his undertaking such a thing with one of the great powers of the world. Then, would you make our nation stand in the attitude of a swaggering bully, dominating and domineering small countries and standing in awe and dread of great powers?

Indeed, I rather caught from the speech of the Senator from Wisconsin that we would be afraid to treat France as we have treated Colombia; for while we invaded Colombia and segregated her territory, we must handle very delicately the New Panama Canal Company. For if that canal company were to undertake to raise its price, as I catch from the speech of the Senator, above that agreed upon with the United States because of some supposed advantage in the event we pay the price to the Government of Panama, we would dare not proceed to pay that company the amount agreed upon, $40,000,000, and cut the canal, but we would have to stand the raise which they would make lest we might become involved with France.

When Mr. McKinley died and Mr. Roosevelt was inducted into office Mr. Roosevelt permitted it to be given out that he intended to execute the policies of the late President through Mr. McKinley's chosen appointees and advisers. I doubt not he was sincere in this, but he was in office only a little while when through some cause Mr. McKinley's old appointees found themselves misplaced until it has come about that one who was in close personal and political relation with the late President McKinley is at a disadvantage before this Administration.

True enough, it is not necessary to carry out the late President McKinley's policies nor to retain his appointees and friends and advisers in order to constitute one a safe man for the executive office; but surely when one is so unstable and uncertain that in one moment he is proclaiming allegiance to the policies and advisers of his predecessor and in the next is removing his advisers and pursuing other and contrary policies, he is not such a safe man as is described by the Senator from Wisconsin. He is not a safe man who refused expressly to obey a plain statute of Congress approved by him, such refusal at the risk of provoking war, although with a weak republic. Nor is he a safe man who treats the appointing power as a personal perquisite of the Executive.

In this Government the laws are supposed to be made for and in behalf of the people, and all power and authority and discretion vested in the President of the United States is intended to be used entirely and exclusively for the benefit of the people, and not in any measure or degree as the personal property of the Executive.

He is not a safe man who would arbitrarily take a captain of the Army, as a mark of favoritism, and jump him over more than 800 officers, thereby putting upon each one of these officers the stigma of incompetency, inefficiency, or unworthiness. He is not a safe man who would take an ex-penitentiary convict, guilty of a furtive crime, and make him a United States marshal in one of the Territories.

No man is worthy to be President of the United States who desires to be President of the United States. It is an office that ought neither be sought nor declined; it has too many responsibilities, too many cares, and too much work, if faithfully and efficiently administered, for any worthy man to desire it. If its functions are properly and faithfully performed, the incumbent must forget his individual affairs during the time of his incumbency of the office, and forget everything else pertaining to temporal affairs except the good of all of the people of the entire country.

But, Mr. President, I have detained the Senate longer than it was my intention, as I purposed to say only a few words in reference to the encroachments of the executive upon the legislative department of the Government.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

Mr. PLATT of Connecticut submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide

for additional United States judges therein, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House, and agree to the same with an amendment as follows, to wit:

In lieu of the matter inserted by the Senate amendment insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority and exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of four years from date of appointment, unless said offices are sooner abolished by law. Neither the additional judges, nor their successors in office, shall be members of the court of appeals for the Indian Territory, but they shall hold such courts in their respective districts as may be directed by the court of appeals of the Indian Territory, or majority of the judges thereof in vacation: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables in said districts, and hereafter at least three terms of court shall be held in each year, at each place of holding court in the Indian Territory, the time to be fixed in the manner now provided by law.

SEC. 2. All the laws of Arkansas heretofore put in force in the Indian Territory are hereby continued and extended in their operation so as to embrace all persons and estates in said Territory, whether Indians, freedmen, or otherwise, and full and complete jurisdiction is hereby conferred upon the district courts in said Territory in the settlements of all estates of decedents, the guardianships of minors and incompetents, whether Indians, freedmen, or otherwise.

The sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of salaries of the judges hereby authorized, the same to be immediately available.

And the House agree to the same.

Amend the title so as to read: "A bill to provide for additional United States judges in the Indian Territory, and for other purposes."

O. H. PLATT,
C. D. CLARK,
A. O. BACON,
Managers on the part of the Senate.
JOHN J. JENKINS,
LOT THOMAS,
JOHN S. LITTLE.
Managers on the part of the House.

The PRESIDENT pro tempore. In the absence of objection, the report will be agreed to.

Mr. BAILEY. Mr. President, I did not know that the conference report had been agreed to.

The PRESIDENT pro tempore. The Chair will regard the question as an open one, then.

Mr. BAILEY. If I understood the reading of the report correctly, these new judges are not permitted to act as members of the court of appeals.

Mr. PLATT of Connecticut. That is correct.

Mr. BAILEY. It is rather singular that this court in banc, as it now exists, should review the decisions of these new judges, and yet that these new judges should not be permitted to review the decisions of those holding precisely equal authority with themselves.

Mr. PLATT of Connecticut. That was the provision of the House bill, and, after a somewhat strenuous conference, we felt obliged to take it.

Mr. FORAKER. Does this provision apply to the four judges already in office?

Mr. BAILEY. No; these are four additional judges, for the appointment of whom we provided only a few days ago. We sent that bill to the House, and they have sent it back here, providing for the additional judges and also establishing certain places at which court shall be held.

Mr. FORAKER. I was inquiring as to the four judges who are already in office. Are they the four who were provided for two or three years ago?

Mr. BAILEY. No; sixteen years ago we organized a court in the Indian Territory, and Congress has increased the number of judges until I believe the Territory is now divided into four districts, each having a judge, and those four judges, sitting in banc, now constitute the court of appeals. The anomaly which this bill presents is it appoints four more judges equal in authority and in all other respects, except they are not permitted to serve as members of the court of appeals.

Mr. President, I am free to say that I believe, as I have always believed, that that court of appeals ought to be abolished. I have stated on this floor once before during the present session that the court in banc is to-day obsolete in almost every enlightened civilized system of jurisprudence, and I regret that the Territorial court of appeals was not entirely abolished.

Mr. PLATT of Connecticut. The Senator from Texas, if he has served on conference committees, must know how difficult it is to come to an agreement. I assure that Senator that the managers on the part of the Senate have had very great trouble to arrive at an agreement at all. This is the best that can be done. It might be better in some respects, but the imperious necessity for the appointment of four additional judges in that Territory was such that we felt we must come to an agreement, and this is the best that we could do.

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

The report was agreed to.

CIVIL GOVERNMENT IN THE PHILIPPINES.

Mr. LODGE. I move that the Senate proceed to the consideration of House bill 14623, known as the "Philippine government bill." It is not my purpose to ask the Senate to go on with the bill at present. I merely move that it be taken up, and when it shall have been taken up I shall yield.

Mr. KEAN. Mr. President——

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

Mr. LODGE. As I have stated, I should like to have the bill taken up, and then I shall yield.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill referred to by him, the title of which will be stated.

The SECRETARY. A bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Mr. DUBOIS. Mr. President——

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts [Mr. LODGE] to proceed to the consideration of the bill named by him.

The motion was agreed to.

Mr. DUBOIS. Mr. President, I rose to the motion of the Senator from Massachusetts, and I thought the Chair had recognized me, as I was anxious to be heard.

Mr. LODGE. It is not a debatable motion.

Mr. DUBOIS. The Senator from Massachusetts moved to take up a certain bill, and I should like to know what the bill is.

Mr. LODGE. It is the Philippines bill.

Mr. DUBOIS. Mr. President——

Mr. LODGE. I am aware that there is to be discussion upon the bill. I merely asked that it be taken up, and then, if opportunity offers, of course it will be open to debate. The bill has not even been read. I am not asking to have it read now, as I do not propose to go on with it at this time.

Mr. DUBOIS. Very well. I will say to the Senator from Massachusetts, however, that there will be discussion on the bill.

Mr. LODGE. I merely wished to have the bill taken up. Of course, a motion to take it up is not debatable.

PROPOSED CONSIDERATION OF PENSION BILLS.

Mr. KEAN. I should like to ask unanimous consent for the consideration of a pension bill.

Mr. GALLINGER. Mr. President——

Mr. KEAN. I will say to the Senator from New Hampshire that circumstances prevented me from asking the consideration of the bill while other Senators were making such requests.

Mr. COCKRELL. Let us consider all of the pension bills or none.

Mr. KEAN. This is only one.

Mr. COCKRELL. Let us consider them all together.

Mr. MCCUMBER. I hope we shall get all the pension bills disposed of this evening.

Mr. COCKRELL. I shall object to the consideration of any particular pension bill now. Let us have them all taken up and passed, so as to give every Senator a fair chance.

Mr. MCCUMBER. Mr. President——

Mr. GALLINGER. I yield to the Senator from North Dakota for a request.

Mr. MCCUMBER. I ask unanimous consent at this time that if the Senate be in session at 7.30 o'clock this evening, it then proceed to the consideration of unobjected pension bills on the Calendar until 8 o'clock.

Mr. WARREN. Unless we shall in the meantime——

Mr. COCKRELL. Why not take up the pension bills now?

Mr. MCCUMBER. The Senator from New Hampshire [Mr. GALLINGER] desires an executive session now. I understand the intention is to hold an evening session or else to continue in session until 8 o'clock this evening. We can easily complete the Pension Calendar in half an hour.

Mr. WARREN. If the Senator will make that request after we shall have spent a couple of hours upon the Calendar in the consideration of unobjected bills, I shall not object; but I do not want an order of that kind to be made until we have first had an opportunity to consider the Calendar of unobjected cases.

The PRESIDENT pro tempore. Objection is made.

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

The PRESIDENT pro tempore. Will the Senator from New Hampshire withhold that motion until the Chair can lay before the Senate a bill from the House of Representatives?

Mr. GALLINGER. Certainly.

OAHU RAILWAY AND LAND COMPANY.

The bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii, was read the first time by its title.

Mr. FORAKER. I ask unanimous consent that the Senate may now proceed to consider that bill.

The PRESIDENT pro tempore. The bill will be read the second time at length, subject to objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That the deeds from the authorities of Hawaii, dated the 29th day of April, 1903, and the 4th day of February, 1899, respectively, to the Oahu Railway and Land Company, conveying a right of way 40 feet wide for a railway of said company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed.

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

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

MESSAGE FROM THE HOUSE.

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

A bill (S. 4713) to authorize the Spuyten Duyvil and Fort Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead line as now established in the city of New York; and

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

The message also announced that the House had passed with amendments the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The message also 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. 76) granting a pension to Mary H. Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gihon;

A bill (S. 3489) granting a pension to Annie Colt McCook; and

A bill (S. 3734) granting an increase of pension to Martha W. Cushing.

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. 2698) to establish a life-saving station at or near the entrance of Tillamook Bay, Oregon; and

A bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

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 four hours and fifty minutes in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

The message further announced that the House had passed the bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River; in which it requested the concurrence of the Senate.

The message also announced that the House had passed with amendments the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and

A bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

TRINITY RIVER (TEXAS) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

The amendments of the House of Representatives were, to strike out all after the enacting clause and insert:

That the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War to expend so much as may be necessary of the funds appropriated in the construction of one lock and dam on the river between the mouth and section 1.

And to amend the title so as to read: "An act to amend 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved June 13, 1902, making appropriation for improving Trinity River, Texas."

Mr. CULBERSON. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ST. FRANCIS RIVER BRIDGE.

The bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River was read twice by its title.

Mr. STONE. I ask unanimous consent that the bill may be put upon its passage. It is merely to construct a bridge across the St. Francis River.

The PRESIDENT pro tempore. Does the Senator from Arkansas say that the bridge is all right?

Mr. BERRY. It is all right; and I have authority from the Committee on Commerce to report it, if necessary. I join in the request of the Senator from Missouri that unanimous consent be given for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

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.

ORDER OF BUSINESS.

Mr. COCKRELL. I hope we will now take up unobjected cases on the Calendar, the pension bills and other bills that are House bills, and dispose of them all. We can do it in a few minutes.

Mr. KEAN. What bills?

Mr. COCKRELL. Unobjected House bills and pension bills.

Mr. CULLOM. I do not want any iron-bound rule as to the kind of bills. If there are Senate bills not objected to they should be considered also.

Mr. COCKRELL. I mean House bills unobjected to. What is the use of wasting our time in passing Senate bills?

Mr. CULLOM. If the Senator please, I think we can get a little bill passed, where there is no objection to it at either end of the Capital, even if it is a Senate bill. I want to have those bills included.

Mr. COCKRELL. Well, then, we may go on and do nothing.

Mr. WARREN. I hope the request of the Senator from Missouri may be granted. There are four small claims bills, the four together amounting to less than $2,000, that have come from the House, and unless they are passed at once of course they can not reach the President in time. I should be glad to have those bills considered, that they may be disposed of before we proceed to the consideration of pension bills.

Mr. BLACKBURN. That is right.

Mr. WARREN. I ask unanimous consent to take up those four House claims bills. They are unobjected to. I have the numbers here.

Mr. MALLORY. There are a number of House bills which have been on the Calendar for some time that are just as important as those bills, as far as I know. I do not see why we should not include all unobjected House bills.

Mr. McCUMBER. Mr. President——

Mr. PETTUS. Was not unanimous consent given to take up the Calendar of unobjected House bills on the request of the Senator from Missouri?

The PRESIDENT pro tempore. The Chair did not so understand it.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of unobjected House pension bills on the Calendar, and also the four claims bills which were mentioned by the Senator from Wyoming.

Mr. COCKRELL. I suggest as an amendment the request I made before. It is plain that we can pass every one of those bills, and we could have passed many of them while we have been wasting time—unobjected House pension bills and other unobjected House bills.

Mr. FORAKER. I have in charge an unobjected House bill, and I want to get consideration for it at some time.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar.

Mr. CULLOM. I do not see any reason why we should not take up the Calendar and dispose of all the unobjected cases. We can do it in a little while. It does not make any difference whether they are Senate bills or House bills, provided they are unobjected to.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri?

Mr. CULLOM. I object, unless unobjected bills generally are included.

MARTHA W. CUSHING.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

MARY H. CORNELL.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 76) granting a pension to Mary H. Cornell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

ANNIE COLT M'COOK.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3489) granting a pension to Annie Colt McCook, 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.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

CLARA M. GIHON.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 128) granting an increase of pension to Clara M. Gihon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

FORESTRY GRANT TO MINNESOTA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes, which was, on page 2, line 6, after the word "lands," to insert:

And provided further, That the land hereby granted shall be cared for and managed by the State of Minnesota, and shall be used for forestry purposes only; and if the said land, or any part thereof, shall cease to be so used the said lands or such part shall revert to the United States and become a part of the public domain.

Mr. NELSON. I move that the Senate concur in the House amendment.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of unobjected House pension bills on the Calendar. I make that as a motion, not as a request.

Mr. WARREN. Is that motion in order, Mr. President?

Mr. McCUMBER. I simply make the motion in order that I may get a hearing. That is all.

The PRESIDENT pro tempore. The Chair hardly thinks a motion of that kind could be entertained, being a motion for the immediate consideration of a number of cases.

Mr. WARREN. I move to take up the Calendar of unobjected cases.

Mr. McCUMBER. That is what I said.

Mr. WARREN. If I am in order, I ask that we take up the Calendar for the consideration of unobjected bills.

Mr. PLATT of Connecticut. That is no more in order than the prior motion.

Mr. McCUMBER. My motion was to take up the unobjected House pension bills upon the Calendar.

The PRESIDENT pro tempore. The Senator can undoubtedly make a motion to proceed to the consideration of one particular pension bill, but the Chair doubts if the Senator can make a motion to proceed to the consideration of a dozen or twenty or a hundred bills.

Mr. PLATT of Connecticut. The Senator can as well make that motion as the Senator from Wyoming can make a motion to proceed to the consideration of all the cases on the Calendar.

The PRESIDENT pro tempore. The Chair, of course, has no right to lay the entire Calendar before the Senate for its consideration.

Mr. KEAN. The unfinished business, being the Philippines bill, is before the Senate, and is in order.

Mr. CULLOM. Is it in order, Mr. President, to ask that the Senate proceed to the consideration of unobjected cases—not to make a motion, but to ask unanimous consent?

The PRESIDENT pro tempore. Undoubtedly it is.

Mr. CULLOM. I make that request.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senate proceed to the consideration of unobjected cases on the Calendar. The Chair would suggest to the Senator that he add "under Rule VIII."

Mr. CULLOM. I include that in the request.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois?

Mr. CLARK of Wyoming and Mr. MALLORY. I object.

Mr. KEAN. Then the unfinished business is the Philippine bill, is it not, Mr. President? The Senator from Massachusetts [Mr. LODGE], who is in charge of the bill, not being present, I do not want him to lose his rights.

Mr. CULBERSON. Mr. President, if there is nothing before the Senate, I ask unanimous consent for the present consideration of the bill (S. 5304) for the relief of the heirs of George T. Howard. Of course, I shall not insist on it if some order is adopted for the general consideration of bills.

Mr. SPOONER. Will the Senator indicate the character of the bill for which he asks consideration?

Mr. CULBERSON. It is a small claims bill. I was about to suggest that if any agreement is reached to take up the Calendar or to take up the Calendar of unobjected House bills, or something of that kind, I shall not insist on the consideration of this bill; but it seems to me that we are without business just now, and I think we might as well pass the Senate bill to which I have called attention.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. The Chair has promised to recognize the Senator from Wyoming [Mr. WARREN].

Mr. CULBERSON. I yield to the Senator from Wyoming.

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. WARREN. Mr. President, I do not like to object to the consideration of any bill, but I do not like to go home from this Senate and undertake to explain to my people and to the country that, while we have had a long winter session, we have not once taken up the Calendar and proceeded regularly under it. I am unwilling to give my consent to take up even pension bills, if no others can be taken up. I am willing to take the responsibility of objecting to them.

I am willing to take up unobjected House bills as such, or to take up the Calendar of unobjected business as a whole; but I object to taking up any business at this time which gives individual preference. All ought to stand on the same line, either all House bills or all Senate bills, or both, as the case may be—unobjected cases; otherwise we had better not go to the Calendar at all, in my judgment.

Mr. COCKRELL. This is the first Congress that I recall where the Senate did not take up unobjected House bills and pass them. That has been the universal rule.

Mr. WARREN. Always.

Mr. COCKRELL. It has been done time and again, and before the close of a session unobjected House bills would all be disposed of. I think it is a courtesy due to the other House, as we ask them to pass our bills. We could have passed every one of the House bills on the Calendar by this time. I know every one of them, and I have got every one of them marked.

Mr. STEWART. Is it in order to proceed to the consideration of the Calendar under Rule VIII.

Mr. CULLOM. I will withdraw the objection I made to the request for the consideration of House bills.

Mr. COCKRELL. I ask for the consideration of unobjected House bills, to be taken up in their regular order; but if a bill leads to any discussion I shall certainly object to it.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar. Is there objection? The Chair hears none, and that order is made.

ESTATE OF GEORGE W. SAULPAW.

The bill (H. R. 1513) for the relief of the estate of George W. Saulpaw was announced as next in order.

Mr. COCKRELL. That bill will lead to discussion.

The PRESIDENT pro tempore. The bill will be passed over.

MUTUAL INVESTMENT FIRE INSURANCE COMPANY.

The bill (H. R. 2871) to incorporate the Mutual Fire Insurance Company of the District of Columbia was announced as next in order.

Mr. ALLISON. I think that bill will certainly take time, and I object to its consideration.

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

ESTATE OF WARREN MITCHELL.

The bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased, was announced as next in order.

Mr. COCKRELL. Let that bill be passed over; it will lead to discussion.

The PRESIDENT pro tempore. It will be passed over.

UNION PIONEER MINING AND TRADING COMPANY.

The bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska, was announced as next in order.

Mr. NELSON. I think that bill had better go over.

Mr. PERKINS. I will say to the Senator from Minnesota that that bill was reported favorably from the Committee on Commerce, by the Senator from Arkansas [Mr. BERRY], and it is on the Calendar, and is a House bill. I hope it will be considered and passed at this time.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 2, on page 2, after the word "river," at the end of line 13, to insert the following proviso:

Provided, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

So as to make the section read:

SEC. 2. That such bridge shall be constructed as a drawbridge, and the draw shall be opened promptly upon reasonable signal for the passage of boats. And whatever kind of bridge is constructed, the said company shall maintain thereon, at its own expense, from sunset to sunrise, during the season of navigation, such lights or other signals as the Light-House Board shall prescribe; and the United States shall have the right of way across said bridge and approaches for postal telegraph and other purposes; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and said bridge shall be so constructed and operated as not to interfere with the navigation of said river: *Provided*, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

UNIVERSITY OF ARIZONA.

The bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona was considered as in Committee of the Whole.

Mr. KEAN. That bill is all right, and I hope it will be passed.

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

The preamble was agreed to.

DISTRICT TAX LAW.

The bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia was considered as in Committee of the Whole.

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

PURE-FOOD BILL.

The bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes, was announced as next in order on the Calendar.

Mr. KEAN. Let that bill be passed over.

Mr. HEYBURN. I move that the Senate proceed to the consideration of that bill.

Mr. COCKRELL. I hope that motion will be voted down.

Mr. PLATT of Connecticut. Let us take a vote on it.

Mr. KEAN. That motion is contrary to the unanimous-consent agreement.

Mr. SPOONER. That violates the unanimous-consent agreement, Mr. President.

Mr. COCKRELL. The Senator should not violate the agreement.

The PRESIDENT pro tempore. Unanimous consent was given to consider unobjected House bills. This is an objected House bill, and so the motion is not in order. Objection being made, the bill will be passed over.

JOHANN A. KILLIAN.

The bill (H. R. 10688) for the relief of Johann A. Killian was considered as in Committee of the Whole.

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

LIFE-SAVING MEDAL TO JOHN HORN.

The bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving, was considered as in Committee of the Whole.

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

ESTATE OF MARY KEATING.

The bill (H. R. 10511) for the relief of the estate of Mary Keating was considered as in Committee of the Whole.

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

ESTATE OF MARY P. GILMORE.

The bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore was considered as in Committee of the Whole.

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

PHARMACY IN THE INDIAN TERRITORY.

The bill (H. R. 23) in relation to pharmacy in the Indian Territory was considered as in Committee of the Whole.

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

COLUMBIA BREWING COMPANY, OF SHENANDOAH, PA.

The bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa., was considered as in Committee of the Whole.

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

ATLANTIC AND PACIFIC RAILROAD OF NEW MEXICO.

The bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico was announced as next in order on the Calendar.

Mr. CULBERSON. That bill will probably lead to some inquiry at least.

Mr. HANSBROUGH. I do not think the Senator will object to that bill. It has been examined thoroughly by the committee and certainly there is no objection to it.

Mr. CULBERSON. I am compelled, Mr. President, to ask either for the reading of the report or to object to the bill.

Mr. HANSBROUGH. Could not a very small portion of the report be read? I can send it to the desk.

Mr. CULBERSON. I object.

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

ALLEGHENY COLLEGE, MEADVILLE, PA.

The bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa., was considered as in Committee of the Whole.

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

JACOB SWIGERT.

The bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district, was considered as in Committee of the Whole.

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

EXEMPTION OF PRIVATE PROPERTY AT SEA.

The joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers, was considered as in Committee of the Whole.

Mr. CULLOM. I hope that joint resolution will be passed.

Mr. CULBERSON. I desire to know from the chairman of the Committee on Foreign Relations if that joint resolution has been reported unanimously by his committee?

Mr. CULLOM. I think it was actually unanimously reported some time ago. It is the same resolution on which I spoke today.

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

ALEXANDER S. ROSENTHAL.

The bill (H. R. 9457) for the relief of Alexander S. Rosenthal was considered as in Committee of the Whole.

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

G. H. DEAREN.

The bill (H. R. 11337) for the relief of G. H. Dearen was considered as in Committee of the Whole.

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

GRANDE RONDE RESERVATION, OREG.

The bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 2, page 6, line 21, after the word "this," to strike out "treaty" and insert "agreement;" so as to read:

SEC. 2. That for the purpose of carrying the provisions of this act into effect, the Secretary of the Interior shall be, and he is hereby, authorized and directed to sell, under such rules and regulations as he may prescribe, and at such times and places as he may designate, and shall, within thirty days after the ratification of this agreement, advertise all that part of the Grande Ronde Reservation remaining unallotted on the date of the said agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, said unallotted lands approximating 25,791 acres.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The preamble was agreed to.

EDWARD J. FARRELL.

The bill (H. R. 10516) for the relief of Edward J. Farrell was announced as the next business in order on the Calendar, and was read.

Mr. KEAN. Let us have the report read. It seems to be a bill which releases land under water in the city of New York. It is rather an important bill. I should like to have the report read.

Mr. CULBERSON. There is no report.

Mr. KEAN. There must be some reason for it.

Mr. COCKRELL. Let the bill be passed over.

Mr. KEAN. It involves land under water. It seems to me it is rather a serious matter of legislation.

Mr. COCKRELL. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

ADOLPH WEINHOLD.

The bill (H. R. 13218) for the relief of Adolph Weinhold was considered as in Committee of the Whole. It proposes to remit the forfeiture which may have attached to lot 15 in block 4 in A. E. Randle's subdivision of land in the District of Columbia by reason of the fact that Adolph Weinhold was an alien when he obtained a deed to it.

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

CHECKS OF DISTRICT DISBURSING OFFICERS.

The bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia was considered as in Committee of the Whole.

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

AMENDMENT OF DISTRICT CODE.

The bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia" was considered as in Committee of the Whole. It proposes to add to the code the following section:

SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than $100, or by imprisonment for more than ninety days.

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

FRAUDULENT SALE OF MERCHANDISE.

The bill (H. R. 5067) to prevent the fraudulent sale of merchandise was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment of the Committee on the District of Columbia was to strike out section 1, as follows:

That a sale of any portion of a stock of merchandise in the District of Columbia, otherwise than in the ordinary course of trade in the regular and usual prosecution of the seller's business, or a sale of an entire stock of merchandise in gross, in the District of Columbia, will be presumed to be fraudulent and void as against the bona fide creditors of the seller, unless the seller and purchaser shall, at least ten days before the sale, make a full detailed inventory showing the quantity and, so far as possible, with the exercise of reasonable diligence, the cost price to the seller, of each article to be included in the sale; and unless such purchaser shall, at least ten days before the sale, in good faith, make full, explicit inquiry of the seller as to the names and places of residence or places of business of each and all of the creditors of the seller and the amount owing each creditor; and unless the purchaser shall at least ten days before the sale, in good faith, notify or cause to be notified, personally or by registered mail, each of the seller's creditors of whom the purchaser has knowledge, or can, with the exercise of reasonable diligence, acquire knowledge of said proposed sale, and of the said cost price of the merchandise to be sold, and of the price proposed to be paid therefor by the purchaser. The seller shall at least ten days before such sale fully and truthfully answer, in writing, under oath, each and all of said inquiries.

And to insert in lieu thereof the following:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia, to demand and receive from the vendor thereof, and if the vendor be a corporation then from a managing officer or agent thereof, at least five days before the consummation of such bargain or purchase and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness therefor, a written statement, under oath, containing the names and addresses of all of the creditors of said vendor, together with the amount of indebtedness due or owing, or to become due or owing, by said vendor to each of such creditors, and if there be no such creditors, a written statement, under oath, to that effect; and it shall be the duty of such vendor to furnish such statement at least five days before any sale or transfer by him of any stock of goods, wares, or merchandise in bulk.

The amendment was agreed to.

The next amendment was, to insert the following as a new section:

SEC. 2. That after having received from the vendor the written statement, under oath, mentioned in section 1, the vendor shall, at least five days before the consummation of such bargain or purchase, and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness for the same, in good faith notify or cause to be notified, personally or by wire or by registered letter, each of the creditors of the vendor named in said statement of the proposed purchase by him of such stock of goods, wares, or merchandise; and whenever any person shall purchase any stock of goods, wares, or merchandise in bulk, or shall pay the purchase price or any part thereof, or execute or deliver to the vendor thereof or to his order, or to any person for his use, any promissory note or other evidence of indebtedness for said stock, or any part thereof, without having first demanded and received from his vendor the statement, under oath, as provided in section 1, and without also having notified or caused to be notified all of the creditors of the vendor named in such statement as in this section prescribed, such purchase, sale, or transfer shall, as to any and all creditors of the vendor, be conclusively presumed fraudulent and void.

The amendment was agreed to.

The next amendment was to insert the following as a new section:

SEC. 3. That any sale or transfer of a stock of goods, wares, or merchandise out of the usual or ordinary course of the business or trade of the vender, or whenever thereby substantially the entire business or trade theretofore conducted by the vender shall be sold or conveyed, or attempted to be sold or conveyed, to one or more persons, shall be deemed a sale or transfer in bulk, in contemplation of this act.

The amendment was agreed to.

Mr. BAILEY. Mr. President, I presume the bill is confined in its operation to the District of Columbia. I will ask whether it is.

Mr. COCKRELL. Entirely so.

Mr. HANSBROUGH. It is entirely confined to the District of Columbia. A similar law is on the statute book of almost every State. It is very much needed in the District. The bill has been gone over very carefully.

Mr. COCKRELL. The bill provides:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia——

Mr. MALLORY. It is confined to the District of Columbia. I will move an amendment to the title so as to read "in the District of Columbia."

Mr. BAILEY. Yes.

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

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

The bill was read the third time, and passed.

On motion of Mr. HANSBROUGH, the title was amended so as to read: "A bill to prevent the fraudulent sale of merchandise in the District of Columbia."

PREVENTION OF CRUELTY TO ANIMALS.

The bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia was announced as the next business in order on the Calendar.

Mr. LODGE. I am entirely in sympathy with the purpose of the bill, but it is a very elaborate bill, and it goes so far as to provide that a man who innocently purchases in another State a horse with a docked tail can not bring him into the District.

It seems to me to be going too far. I think it is a bill which ought to be considered more, and I object to its consideration.

Mr. SCOTT. I hope the Senator will withdraw his objection to the bill. I certainly will feel, if he does not, that I shall have to object to bills right straight along.

Mr. PLATT of Connecticut and other Senators. Oh, no.

Mr. LODGE. There is no use at all of saying that.

Mr. SCOTT. It is a bill which has been carefully considered by the Committee on the District of Columbia, both in the House and in the Senate, and I do not believe that any man who sympathizes with a dumb animal will object to the bill.

Mr. BAILEY. I very much question the right to prohibit the bringing of personal property from one State or District into another, when it does not affect the health, morals, or good order of the place into which it is brought.

I myself believe that the practice of docking horses is a cruel and useless one. Cruelty is always bad, and when it is useless it is doubly bad. But it looks to me like the friends of the bill ought to remove it from all possible valid legal objections, and I do incline to the belief that the State of West Virginia, for instance, could not forbid the bringing into that State from the State of Massachusetts of personal property which does not affect the health, morals, or peace of that State. It seems to me to be going a long way.

Mr. SCOTT. Why will not the Senator amend the bill?

Mr. LODGE. I am perfectly willing to do that.

Mr. SCOTT. Let us amend the bill.

Mr. COCKRELL. I hope we will observe the rule that where there is an objection the bill will be passed over. We have passed all the House bills but four, until we come to the pension bills. Let this bill be laid aside. If we do not have time to consider it at this session, nothing will spoil until next session, and then we will pass it, after full discussion.

Mr. SCOTT. I will agree that the bill may go over, with the understanding that if we have time either to-night or to-morrow it will be called up.

Mr. BAILEY. I should like to see passed a bill to prevent the docking of horses.

Mr. LODGE. Mr. President, I desire to say a single word. The Senator from Texas expressed perfectly my objection to the bill. I think docking is a cruel and useless practice, and that we ought to stop it in the District. I am heartily in favor of it, but when you say that an innocent purchaser who buys a horse with a docked tail in New York or Massachusetts, or anywhere else you please, shall not bring his property with him into the District, I think you are entering upon pretty dangerous ground.

Mr. GALLINGER. Mr. President, on the other hand I wish to say to the Senator from Massachusetts that if the bill is only made applicable to the District and persons are permitted to bring in horses from Virginia and Maryland and other States, it will be an utterly useless legislative act.

Mr. SCOTT. Yes.

Mr. GALLINGER. And it might as well be abandoned.

Mr. COCKRELL. Let us have the next case on the Calendar.

Mr. PLATT of Connecticut. The regular order!

The PRESIDENT pro tempore. The bill will be passed over.

EXTENSION OF WYOMING AVENUE.

The bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west was considered as in Committee of the Whole.

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

CHOCTAW AND CHICKASAW TOWN-SITE FUND.

The bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes, was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has heretofore been read in full to the Senate.

Mr. PLATT of Connecticut. It need not be read again. The Senator from Texas [Mr. BAILEY] objected to it, but he now withdraws his objection.

Mr. BAILEY. I find upon examination that this money is a joint fund belonging to both the Choctaw and Chickasaw Indians. Therefore it would be difficult, at least, if not impossible, to apply a part of it to a separate Chickasaw indebtedness without adjusting the equities between the two tribes, and I will not attempt to do it.

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

OX BOW POWER COMPANY.

The bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River was considered as in Committee of the Whole.

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

TRANSFER OF CERTAIN MILITARY ROLLS AND RECORDS.

The joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department was considered as in Committee of the Whole.

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

ELIZABETH E. CONATT.

The bill (H. R. 13605) granting an increase of pension to Elizabeth E. Conatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth E. Conatt, widow of Harrison Conatt, late of Company H, Fourth Regiment Iowa Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

ELLA F. KENNEALY.

The bill (H. R. 15183) granting a pension to Ella F. Kennealy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella F. Kennealy, helpless and dependent daughter of David Kennealy, late of the U. S. S. *Alleghany*, *Wissahickon*, and *Princeton*, United States Navy, and to pay her a pension of $12 per month.

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

ARMOUR W. PATTERSON.

The bill (H. R. 15148) granting an increase of pension to Armour W. Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Armour W. Patterson, late of Company A, First Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOSEPH A. COX.

The bill (H. R. 15126) granting an increase of pension to Joseph A. Cox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph A. Cox, late of Company A, Second Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

JOHN TRADER.

The bill (H. R. 11335) granting an increase of pension to John Trader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Trader, late of Company B, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

EMMA A. WEBSTER.

The bill (H. R. 7497) granting a pension to Emma A. Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma A. Webster, widow of Israel B. Webster, late captain Company I, Tenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $12 per month.

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

LAWRENCE LE BRON.

The bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lawrence Le Bron, late of Company E, Eleventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

GRACE DRESSEL.

The bill (H. R. 5725) granting a pension to Grace Dressel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Grace Dressel, widow of Fritz Dressel, late musician, Eighth Regiment United States Infantry, and to pay her a pension of $12 per month and $2 per month additional on account of the minor child of said Fritz Dressel until she reaches the age of 16 years.

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

THOMAS L. SWEENEY.

The bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas L. Sweeney, late of Company F, Forty-second Regiment United States Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

STEPHEN M. FERGUSON.

The bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" 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 Stephen M. Ferguson, late lieutenant-colonel Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

AARON TAYLOR.

The bill (H. R. 4771) granting a pension to Aaron Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron Taylor, late of Company H, Eleventh Regiment United States Infantry, and to pay him a pension of $8 per month.

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

JACOB REITZEL.

The bill (H. R. 5012) granting an increase of pension to Jacob Reitzel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Reitzel, late of Company C, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

HARRIET J. WOODBURY.

The bill (H. R. 7373) granting a pension to Harriet J. Woodbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet J. Woodbury, widow of Everett T. Woodbury, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

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

JENNIE A. BROWN.

The bill (H. R. 14524) granting a pension to Jennie A. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie A. Brown, widow of James M. Brown, late of Company I, One hundred and fortieth Regiment New York Volunteer Infantry, and to pay her a pension of $8 per month.

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

SAMUEL H. PHILLIPS.

The bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Phillips, late of Company A, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

ALEXANDER P. NELSON.

The bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander P. Nelson, late first lieutenant Company K, Eighty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

AZARIAH S. ELWOOD.

The bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of Azariah S. Elwood, late assistant surgeon, Fortieth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

PRINCE A. GATCHELL.

The bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Prince A. Gatchell, late captain Company E, First Regiment Maine Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

EMMA W. HAYS.

The bill (H. R. 13805) granting a pension to Emma W. Hays was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma W. Hays, widow of Joseph H. Hays, late first lieutenant, Thirtieth Regiment United States Infantry, and to pay her a pension of $17 per month.

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

MATTHIAS RIDENOUR.

The bill (H. R. 14859) granting an increase of pension to Matthias Ridenour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthias Ridenour, late of Company H, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension $40 per month in lieu of that he is now receiving.

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

LESLIE C. ARMOUR.

The bill (H. R. 14001) granting an increase of pension to Leslie C. Armour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leslie C. Armour, late of Company B, Second Regiment United States Cavalry, war with Spain, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

ANNIE HYNES.

The bill (H. R. 13816) granting a pension to Annie Hynes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie Hynes, widow of Patrick J. Hynes, late hospital steward, Second Regiment New Jersey Volunteer Infantry, war with Spain, and to pay her a pension of $12 per month and $2 per month additional on account of the minor child of Patrick J. Hynes until she reaches the age of 16 years.

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

JANE K. CARPENTER.

The bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane K. Carpenter, widow of Ezra D. Carpenter, late second lieutenant Company B, Eighteenth Regiment Connecticut Volunteer Infantry, and to pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

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

EDWARD M. FOWLER.

The bill (H. R. 12604) granting a pension to Edward M. Fowler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Fowler, late coal passer, United States Navy, and to pay him a pension of $30 per month.

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

ANTOINETTE I. SAWYER.

Tho bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Antoinette I. Sawyer, widow of Charles F. Sawyer, late sergeant-major and adjutant Fourth Regiment Maine Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

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

WILLIAM T. SPENCER.

The bill (H. R. 14631) granting a pension to William T. Spencer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Spencer, late of Company D, Sixth Regiment United States Volunteer Infantry, and to pay him a pension at the rate of $12 per month.

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

AUGUSTUS FINLEY.

The bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus Finley, now known as Davis, late of Company I, One hundred and thirty-sixth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $12 per month.

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

MYRON IMAS.

The bill (H. R. 14612) granting an increase of pension to Myron Imas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Myron Imas, late of Company H, Fifty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

WILLIAM L. BEVERLY.

The bill (H. R. 14611) granting a pension to William L. Beverly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Beverly, late scout and spy, United States Volunteers, and to pay him a pension of $12 per month.

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

ALFRED B. SCOVILL.

The bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred B. Scovill, late of Company A, Forty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

IDA DIAMOND.

The bill (H. R. 12629) granting a pension to Ida Diamond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida Diamond, widow of Constantine Diamond, late of the U. S. S. *Monongahela*, United States Navy, and to pay her a pension of $8 per month.

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

AMBROSE L. HENDEE.

The bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ambrose L. Hendee, late of Company F, Eighty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

HARMON P. COLE.

The bill (H. R. 2577) granting an increase of pension to Harmon P. Cole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harmon P. Cole, late of Company A, Fifth Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

DEGRAPHENREED P. M'KINLEY.

The bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Degraphenreed P. McKinley, late of Captain Gyles's independent company Putnam County Missouri Home Guards, and to pay him a pension of $12 per month.

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

HENRY GOOD.

The bill (H. R. 13490) granting an increase of pension to Henry Good was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Good, late second lieutenant Company E, One hundred and seventy-first Regiment Pennsylvania Drafted Militia Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

MARY TAGGART.

The bill (H. R. 15204) granting an increase of pension to Mary Taggart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Taggart, widow of James C. Taggart, late first lieutenant Company I, Seventy-first Regiment New York Militia Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Maggie Taggart, helpless and dependent child of said James C. Taggart, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Taggart the name of said Maggie Taggart shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary Taggart.

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

GEORGE B. HARTLEY.

The bill (H. R. 4152) granting an increase of pension to George B. Hartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Hartley, late of Company K, Seventy-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

IRA WALDO.

The bill (H. R. 3924) granting an increase of pension to Ira Waldo was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Waldo, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

WILLIAM M. CROW.

The bill (H. R. 698) granting an increase of pension to William M. Crow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Crow, late of Company B, Sixth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ORSON BURLINGAME.

The bill (H. R. 12402) granting a pension to Orson Burlingame was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orson Burlingame, late of Company G, Second Regiment New York Veteran Volunteer Cavalry, and to pay him a pension of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

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

GEORGE S. NOLAND.

The bill (H. R. 13736) granting a pension to George S. Noland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George S. Noland, late of Company G, Second Regiment South Carolina Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

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

ROSE B. NOA.

The bill (H. R. 1093) granting a pension to Rose B. Noa was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rose B. Noa, dependent mother of Loveman Noa, late cadet United States Navy, and to pay her a pension of $12 per month.

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

MERCY J. WILDER.

The bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mercy J. Wilder, widow of George O. Wilder, late first lieutenant Company C, Fifteenth Regiment, and Company G, Twentieth Regiment, Massachusetts Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

ELIZABETH B. YOUNT.

The bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth B. Yount, widow of David Yount, late captain Companies H and C, Sixty-ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

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

DANIEL WHITE.

The bill (H. R. 14437) granting an increase of pension to Daniel White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel White, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ENOCH J. EVANS.

The bill (H. R. 2976) granting an increase of pension to Enoch J. Evans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Enoch J. Evans, late of Company H, First Regiment West Virginia Volunteer Infantry, and to pay him a pension of $12 per month in lieu of that he is now receiving.

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

MARGARET J. RANDOLPH.

The bill (H. R. 9107) granting a pension to Margaret J. Randolph was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Randolph, widow of William F. Randolph, late pilot, United States Navy, and to pay her a pension of $12 per month.

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

HENRY M'CREARY.

The bill (H. R. 10285) granting an increase of pension to Henry McCreary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry McCreary, late of Company B, Fourth Regiment Delaware Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

ABRAHAM HARRIS.

The bill (H. R. 13586) granting an increase of pension to Abraham Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham Harris, late of Company F, Eighth Regiment United States Infantry, war with Mexico, and to pay him a pension of $20 dollars per month in lieu of that he is now receiving.

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

ELIZABETH BROOMALL.

The bill (H. R. 10284) granting a pension to Elizabeth Broomall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Broomall, widow of Joseph Broomall, late of Company E, Fifth Regiment Delaware Volunteer Infantry, and to pay her a pension of $12 per month.

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

JACOB CHRONISTER.

The bill (H. R. 5711) granting an increase of pension to Jacob Chronister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Chronister, late of Company I, Thirty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN BRADY.

The bill (H. R. 14508) granting an increase of pension to John Brady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Brady, late of Company C, One hundredth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

CHARLES W. LEE.

The bill (H. R. 14484) granting an increase of pension to Charles W. Lee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Lee, late captain Company A, Third Regiment Indiana Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN GIDEON.

The bill (H. R. 14894) granting an increase of pension to John Gideon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gideon, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ALLEN R. HARRIS.

The bill (H. R. 14890) granting an increase of pension to Allen R. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen R. Harris, late first lieutenant and adjutant Fifty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

WILLIAM HUFFMAN.

The bill (H. R. 14884) granting an increase of pension to William Huffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Huffman, late of Company I, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MARY DINGLER.

The bill (H. R. 14882) granting a pension to Mary Dingler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Dingler, dependent mother of George Neville, late of Company F, Twenty-third Regiment New Jersey Volunteer Infantry, and to pay her a pension of $12 per month.

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

FRANCIS STADLER, JR.

The bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Stadler, jr., late of Company D, Seventh Regiment New Jersey Volunteer Infantry, and to pay him a pension of $72 per month in lieu of that he is now receiving.

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

PETER LANDER.

The bill (H. R. 4572) granting an increase of pension to Peter Lander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Lander, late of Company F, First Regiment Vermont Volunteer Cavalry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

ALEXANDER ADAMS.

The bill (H. R. 4379) granting an increase of pension to Alexander Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander Adams, late of Company A, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

MARY E. HOUGHTON.

The bill (H. R. 13173) granting an increase of pension to Mary E. Houghton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Houghton, widow of Moses B. Houghton, late colonel Third Regiment Michigan Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

WILLIAM P. CRAWFORD.

The bill (H. R. 13437) granting a pension to William P. Crawford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Crawford, late first lieutenant Company C, Fortieth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of $20 per month.

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

JOHN S. EDGAR.

The bill (H. R. 9365) granting an increase of pension to John S. Edgar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Edgar, late of Battery D, Fifth Regiment United States Artillery, and to pay him a pension of $72 per month in lieu of that he is now receiving.

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

JULIA R. BRAXTON.

The bill (H. R. 4891) granting a pension to Julia R. Braxton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia R. Braxton, widow of Hiram F. Braxton, late second lieutenant Company A, Twenty-fourth Regiment Indiana Volunteer Infantry, and to pay her a pension of $15 per month.

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

EVERTON J. CONGER.

The bill (H. R. 14336) granting an increase of pension to Everton J. Conger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Everton J. Conger, late lieutenant-colonel First District of Columbia Volunteer Cavalry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

JAMES W. SMITH.

The bill (H. R. 14201) granting an increase of pension to James W. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Smith, late of Company H, Thirty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JAMES A. MORRISON.

The bill (H. R. 8280) granting an increase of pension to James A. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Morrison, late of the U. S. S. *Valley City*, United States Navy, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN M. STONER.

The bill (H. R. 9901) granting a pension to John M. Stoner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Stoner, late of Company C, Second Regiment Arkansas Volunteer Cavalry, and Company A, First Battalion Arkansas Volunteer Infantry, and to pay him a pension of $30 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any reduction or rebate on account of former alleged overpayments or erroneous payments of pension.

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

WILLIAM SPIEGELBERG.

The bill (H. R. 7085) granting an increase of pension to William Spiegelberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Spiegelberg, late first lieutenant Company F, Nineteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

WILLIAM W. DENNIS.

The bill (H. R. 13373) granting an increase of pension to William W. Dennis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William W. Dennis, late of Company D, Third Battalion, Eighteenth Regiment United States Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

ROBERT H. BETTS.

The bill (H. R. 9623) granting an increase of pension to Robert H. Betts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert H. Betts, late of Company C, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MADISON C. STAVES.

The bill (H. R. 3921) granting an increase of pension to Madison C. Staves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Madison C. Staves, late of Company K, Eleventh Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ABSALOM SHILTS.

The bill (H. R. 9773) granting an increase of pension to Absalom Shilts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "G" and insert the letter "C;" 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 Absalom Shilts, late of Company C, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

GEORGE SMITH.

The bill (H. R. 9477) granting an increase of pension to George Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Smith, late of Company H, Fourth Regiment United States Artillery, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

JOSEPH J. MEAD.

The bill (H. R. 14639) granting an increase of pension to Joseph J. Mead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph J. Mead, late of Company G, One hundred and seventieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MARY E. DUNFORD.

The bill (H. R. 14702) granting a pension to Mary E. Dunford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Dunford, dependent mother of Jesse M. Dunford, late of Company G, Fifth Regiment United States Infantry, war with Spain, and to pay her a pension of $12 per month.

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

ALLAN DUNNING.

The bill (H. R. 14641) granting a pension to Allan Dunning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allan Dunning, helpless and dependent son of Henry W. Dunning, late of Sixth Independent Battery, Wisconsin Volunteer Light Artillery, and to pay him a pension of $12 per month.

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

NANCY SMALLWOOD.

The bill (H. R. 10851) granting an increase of pension to Nancy Smallwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nancy Smallwood, widow of James B. Smallwood, late of Company A, Seventh Regiment, and first lieutenant Company I, Forty-seventh Regiment Kentucky Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margaret Smallwood, helpless and dependent daughter of said James B. Smallwood, the additional pension herein granted shall cease and determine.

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

HEINRICH ERBSTOESER.

The bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Heinrich Erbstoeser, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

MARY LEFFLER.

The bill (H. R. 9394) granting an increase of pension to Mary Leffler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Leffler, widow of John Leffler, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said John Leffler until he reaches the age of 16 years.

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

WILLIAM HOUGENDOBLER.

The bill (H. R. 14870) granting an increase of pension to William Hougendobler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hougendobler, late of Company E, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

CEPHAS H. JOHN.

The bill (H. R. 13690) granting an increase of pension to Cephas H. John was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cephas H. John, late of Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

THOMAS C. WILEY.

The bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Wiley, late captain Company H, Second Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receving.

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

JOHN W. SHRADER.

The bill (H. R. 14801) granting a pension to John W. Shrader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Shrader, late of Captain Coffee's company, Florida Volunteers, war with Mexico, and to pay him a pension of $12 per month.

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

SYMPHOROSA BARTLEY.

The bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Symphorosa Bartley, widow of Milton Bartley, late of Lieutenant Denman's detachment of United States mounted riflemen, war with Mexico, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

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

PARK AVERY.

The bill (H. R. 14638) granting an increase of pension to Park Avery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Park Avery, late of Company H, Twelfth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN PICKERING.

The bill (H. R. 12348) granting an increase of pension to John Pickering was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Pickering, late of Company C, One hundred and thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

BARTLETT J. MINGUS.

The bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bartlett J. Mingus, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

EDWARD TAYLOR.

The bill (H. R. 14578) granting a pension to Edward Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Taylor, late of the U. S. steamships *Lancaster* and *Baltic*, Mississippi Marine Brigade. and to pay him a pension of $20 per month.

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

MARGARET G. HOWARTH.

The bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret G. Howarth, widow of Richard S. Howarth, late of Company D, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

DANIEL M. CANDOR.

The bill (H. R. 12197) granting an increase of pension to Daniel M. Candor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel M. Candor, late of Company A, Thirtieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

AMELIA COSTER.

The bill (H. R. 12006) granting an increase of pension to Amelia Coster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia Coster, widow of Leon Coster, late of Company F, Seventeenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

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

ISAAC W. WATERS.

The bill (H. R. 12177) granting an increase of pension to Isaac W. Waters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac W. Waters, late of Company K, Forty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

ROBERT R. KEYS.

The bill (H. R. 14511) granting an increase of pension to Robert R. Keys was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert R. Keys, late of Company B, Third Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

CHARLES W. CRARY.

The bill (H. R. 11086) granting an increase of pension to Charles W. Crary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Crary, late captain Company H, Ninety-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

ROBERT ELLIOTT.

The bill (H. R. 13000) granting an increase of pension to Robert Elliott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Elliott, late of Company C, Fortieth Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

SOLON D. MOORE.

The bill (H. R. 9338) granting an increase of pension to Solon D. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solon D. Moore, late second lieutenant Company I, Third Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

WILLIAM LEONARD.

The bill (H. R. 11397) granting an increase of pension to William Leonard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Leonard, late of Company K, One hundred and sixth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN S. ALLISON.

The bill (H. R. 10334) granting an increase of pension to John S. Allison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Allison, late of Company G, One hundred and sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

DANIEL SMITH.

The bill (H. R. 11827) granting an increase of pension to Daniel Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Smith, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

BENJAMIN F. HAWTHORN.

The bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Hawthorn, late of Company K, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

GILBERT A. KENNEY.

The bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gilbert A. Kenney, late of Company K, Tenth Regiment Rhode Island Volunteer Infantry, and Company C, Second Regiment Rhode Island Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

HENRY J. GRANNIS.

The bill (H. R. 2124) granting an increase of pension to Henry J. Grannis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry J. Grannis, late of Company C, Twelfth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

PHEBE A. DAW.

The bill (H. R. 14992) granting a pension to Phebe A. Daw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Phebe A. Daw, widow of Joseph Daw, late of Company K, Twenty-second Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

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

FRANCIS ROGERS.

The bill (H. R. 14938) granting a pension to Francis Rogers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Rogers, late of Company C, Fifth Regiment United States Cavalry, and to pay him a pension of $12 per month.

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

THOMAS MAHERS.

The bill (H. R. 13886) granting an increase of pension to Thomas Mahers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Mahers, late of Battery C, Fourth Regiment United States Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN B. HOBDAY.

The bill (H. R. 14204) granting a pension to John B. Hobday was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Hobday, late commissary-sergeant Fifty-sixth Regiment New York National Guard Infantry, and to pay him a pension of $12 per month.

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

WILLIAM FLAIG.

The bill (H. R. 11013) granting an increase of pension to William Flaig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Flaig, late of Company D, Eighty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month lieu of that he is now receiving.

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

WILLIAM KIMBROUGH.

The bill (H. R. 14637) granting an increase of pension to William Kimbrough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kimbrough, late of Company I, Forty-fourth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

DELANA A. LYNCH.

The bill (H. R. 13272) granting a pension to Delana A. Lynch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delana A. Lynch, widow of Thomas J. Lynch, late of Company G, One hundred and twentieth Regiment Illinois Volunteer Infantry, and to pay her a pension of $8 per month.

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

ELLEN A. WILSON.

The bill (H. R. 4398) granting a pension to Ellen A. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen A. Wilson, widow of William P. Wilson, late first-class fireman, United States Navy, war with Spain, and to pay her a pension of $12 per month, and $2 per month additional on account of each of the minor children of said William P. Wilson until they reach the age of 16 years.

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

EMANUEL PECK.

The bill (H. R. 13404) granting a pension to Emanuel Peck was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emanuel Peck, late of Company F, Fourth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of $12 per month.

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

WILLIAM C. CRUMBAUGH.

The bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Crumbaugh, late of Company E, First Regiment Potomac Home Brigade Maryland Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN HEGARTY.

The bill (H. R. 11262) granting a pension to John Hegarty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hegarty, late of Company C, Twenty-sixth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

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

SAMUEL R. HAZEN.

The bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel R. Hazen, late of Company G, One hundred and fortieth Regiment New York Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

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

GARRET I. POST.

The bill (H. R. 13391) granting an increase of pension to Garret I. Post was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Garret I. Post, late of Company H, Twenty-fifth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

PETER CREAGER.

The bill (H. R. 8716) granting an increase of pension to Peter Creager was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Creager, late of Company I, Twentieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN RICHMOND.

The bill (H. R. 9354) granting an increase of pension to John Richmond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Richmond, late of Company C, One hundred and forty-second Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

SAMUEL B. LOEWENSTINE.

The bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel B. Loewenstine, late of Company K, First Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

WILLIAM WELLS.

The bill (H. R. 11374) granting an increase of pension to William Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Wells, late of Company A, Eighty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

THOMAS ELLMAKER.

The bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Ellmaker, late of the U. S. S. *St. Marys*, United States Navy, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

EDWIN A. MORRIS.

The bill (H. R. 6111) granting an increase of pension to Edwin A. Morris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin A. Morris, late of Company F, Sixth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JAMES E. PHILLIPS.

The bill (H. R. 6718) granting an increase of pension to James E. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Phillips, late of Company I, Ninety-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ROBERT J. TATE.

The bill (H. R. 2675) granting an increase of pension to Robert J. Tate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert J. Tate, late of Company A, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

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

SMITH BILDERBACK.

The bill (H. R. 2499) granting an increase of pension to Smith Bilderback was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith Bilderback, late second lieutenant Company F, Thirty-fourth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

WILLIAM BASNETT.

The bill (H. R. 3431) granting an increase of pension to William Basnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Basnett, late of Company D, Third Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

WILLIAM H. ROMAINE.

The bill (H. R. 3036) granting an increase of pension to William H. Romaine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Romaine, late captain Company D, One hundred and seventy-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

IRA MESERVE.

The bill (H. R. 740) granting an increase of pension to Ira Meserve was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Meserve, late of Company F, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN S. MILLER.

The bill (H. R. 4582) granting an increase of pension to John S. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Miller, late of Company F, Eleventh Regiment Rhode Island Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

FRANK BROCK.

The bill (H. R. 934) granting an increase of pension to Frank Brock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Brock, late of Company F, One hundred and seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JOHN M'CONNELL.

The bill (H. R. 5309) granting an increase of pension to John McConnell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McConnell, late of Capt. D. D. Henrie's company, D, District of Columbia and Maryland Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

SOLOMON F. HALLETT.

The bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solomon F. Hallett, late of Company I, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

CAROLINE M'GIMSEY.

The bill (H. R. 14640) granting an increase of pension to Caroline McGimsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline McGimsey, widow of Francis M. McGimsey, late of Company H, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

JAMES R. FLETCHER.

The bill (H. R. 14636) granting an increase of pension to James R. Fletcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James R. Fletcher, late of Battery A, Fourth Regiment United States Artillery, Florida Indian war, and to pay him a pension of $16 per month in lieu of that he is now receiving.

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

WILLIAM NEUBERG.

The bill (H. R. 14343) granting an increase of pension to William Neuberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Neuberg, late of Company B, One hundred and seventy-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

MARY J. WAUGH.

The bill (H. R. 487) granting an increase of pension to Mary J. Waugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Waugh, widow of Andrew Waugh, late of Company D, Twentieth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

HUMPHREY M. GLINES.

The bill (H. R. 749) granting an increase of pension to Humphrey M. Glines was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Humphrey M. Glines, late of Company C, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

DANIEL A. BUTLER.

The bill (H. R. 4584) granting an increase of pension to Daniel A. Butler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel A. Butler, late of Company E, Third Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ELIZA WORKMAN.

The bill (H. R. 5565) granting a pension to Eliza Workman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza Workman, widow of William F. Workman, late of Company H, Seventh Regiment West Virginia Volunteer Cavalry, and to pay her a pension of $8 per month.

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

ARCHIE C. FISK.

The bill (H. R. 14308) granting an increase of pension to Archie C. Fisk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Archie C. Fisk, late captain and assistant adjutant-general, United States Volunteers, and to pay him a pension of $30 per month in lieu of that he is *now receiving.*

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

PETER C. WOOD.

The bill (H. R. 14153) granting an increase of pension to Peter C. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter C. Wood, late captain Company A, and first lieutenant Company F, Forty-ninth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

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

KING KERLEY.

The bill (H. R. 14141) granting an increase of pension to King Kerley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of King Kerley, late of Captain Bennett's company, First Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

CALVIN HITT.

The bill (H. R. 13911) granting an increase of pension to Calvin Hitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calvin Hitt, late of Company I, Stevenson's regiment, New York Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

JAMES E. CHAPPELL.

The bill (H. R. 3107) granting an increase of pension to James E. Chappell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Chappell, late first lieutenant Company G, Fifty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ERASTUS J. HORTON.

The bill (H. R. 6182) granting a pension to Erastus J. Horton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erastus J. Horton, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $12 per month.

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

CHARLES E. ARNETT.

The bill (H. R. 10029) granting a pension to Charles E. Arnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles E. Arnett, late of Company C, Second Regiment Arkansas Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

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

HELIM THOMPSON.

The bill (H. R. 4602) granting an increase of pension to Helim Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helim Thompson, late of Company E, Forty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

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

GRANT OF LANDS TO OHIO.

The bill (H. R. 11444) to grant certain lands to the State of Ohio was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, after the first word "That," to strike out the words "all the land above described is granted unto the State of Ohio," and insert:

The following-described lands in township 6 south, range 3 east, in Mercer County, Ohio, be, and the same are hereby, granted to the State of Ohio, to wit: The southeast quarter of the southeast quarter of section 2, township 6 south, range 3 east, 40 acres; the south half of the southwest quarter of section 3, township 6 south, range 3 east, 80 acres; the east half of the northeast quarter of section 8, township 6 south, range 3 east, 80 acres; the southwest quarter of the northeast quarter of section 8, township 6 south, range 3 east, 40 acres; the northwest quarter of section 8, township 6 south, range 3 east, 160 acres; the southwest quarter of section 8, township 6 south, range 3 east, 160 acres; the northeast quarter of section 9, township 6 south, range 3 east, 160 acres; the southeast quarter of section 9, township 6 south, range 3 east, 160 acres; the northwest quarter of section 9, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 9, township 6 south, range 3 east, 80 acres; the southwest quarter of section 10, township 6 south, range 3 east, 160 acres; the northeast quarter of section 11, township 6 south, range 3 east, 160 acres; the southeast quarter of section 11, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 11, township 6 south, range 3 east, 80 acres; the northwest quarter of section 17, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 17, township 6 south, range 3 east, 80 acres; also the whole of section 7, township 6 south, range 4 east, in Auglaize County, Ohio, 694 acres; also the north half of the southwest quarter of section 27, township 7 south, range 5 east, in Shelby County, Ohio, 80 acres; and containing in all 2,694 acres, more or less.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The committee reported to strike out the third, fourth, fifth, sixth, and seventh whereas of the preamble; so as to make the preamble read:

Whereas the State of Ohio in the years 1828 to 1844, inclusive, constructed the Miami and Erie Canal; and

Whereas the State of Ohio, for the purpose of supplying the said canal with water, built and constructed certain artificial lakes or reservoirs known as the Mercer County Reservoir, in Mercer and Auglaize counties, and the Loramie Reservoir in Auglaize and Shelby counties, the former being completed and flooded with water about the year 1842 and the latter about the year 1844; and

Whereas it has recently come to the knowledge of the authorities of the State of Ohio that the title to the land above described is in the United States and not in the said State of Ohio: Therefore.

The amendment to the preamble was agreed to.

The PRESIDING OFFICER (Mr. KEAN in the chair). This completes the Calendar under the special order.

SHOSHONE OR WIND RIVER INDIAN RESERVATION.

Mr. CLARK of Wyoming. It completes the printed Calendar. However, there is upon the Calendar the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect. I have a copy of the bill here.

Mr. CULLOM. I desire to make a remark about this bill. The Senator from Wyoming came to me two or three days ago and asked me to allow him to call up the bill and have it considered when I got the floor to speak. This morning when I got the floor there was such confusion that I was a little bit worried, and I did not do exactly right by the Senator. I hope, therefore, the bill will be passed now.

Mr. CLARK of Wyoming. I appreciate the Senator's courtesy. It is a House bill, with some minor amendments, reported from the Committee on Indian Affairs.

Mr. HANSBROUGH. I desire to state that the Senator from Illinois apologized to me in private for having stated that I talked twice as much as any other Senator in the Chamber.

Mr. CULLOM. The Senator proved to me that he had not quite done so.

The PRESIDING OFFICER. The bill called up by the Senator from Wyoming will be read.

Mr. PETTUS. There is objection made.

The PRESIDING OFFICER. Does the Chair understand the Senator from Alabama to object? This is a House bill and comes under the unanimous-consent agreement.

Mr. COCKRELL. What is the bill? Let it be read.

Mr. PETTUS. I did not know that it is a House bill.

Mr. CLARK of Wyoming. It is a House bill.

The PRESIDING OFFICER. And it is under the agreement, the Chair will state to the Senator from Alabama. It will be read, subject to objection.

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 Indian Affairs with amendments.

The first amendment was, on page 11, line 2, after the word "Wyoming," to insert "for the consideration hereinafter named."

The amendment was agreed to.

The next amendment was, on page 12, line 22, before the word "thousand," to strike out "one hundred and seventy" and insert "fifty;" so as to read:

That at least $50,000 of the moneys derived, etc.

The amendment was agreed to.

The next amendment was, on page 18, article 4, line 4, after the words "one hundred," to insert "and fifty."

The amendment was agreed to.

The next amendment was, on page 19, to strike out the last section, section 6.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The preamble was agreed to.

PREVENTION OF CRUELTY TO ANIMALS.

Mr. SCOTT. I ask leave now to call up the bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia. It was laid over a few moments ago, and I shall ask to have it amended.

The PRESIDING OFFICER. The Chair understood the bill to be objected to by the Senator from Texas [Mr. BAILEY].

Mr. FORAKER. The Senator from Texas announced that he had no objection, except only——

Mr. SCOTT. With the amendment I am about to offer the bill will be acceptable.

Mr. FORAKER. The Senator from Massachusetts [Mr. LODGE] also objected, but——

Mr. SCOTT. The Senator from Massachusetts objected, but he is satisfied with the amendment. In line 5, after the word "docked," I move to strike out down to the word "horses," in line 6.

Mr. PETTUS. I object to the further consideration of the bill.

The PRESIDING OFFICER. The Senator from Alabama objects.

ORDER OF BUSINESS.

Mr. CULLOM. The Senator from Wyoming [Mr. WARREN] is expecting a bill from the House in a very few moments.

Mr. WARREN. It is a bill to correct one of the appropriation bills already passed, and I am promised that it will be here within two or three minutes.

Mr. FOSTER of Washington. In the meantime I should like to call up a bill (S. 3843) providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington.

The PRESIDING OFFICER. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

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

A bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests; and

A joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIGHT OF WAY IN ARSENAL GROUNDS AT ST. LOUIS.

Mr. COCKRELL. I ask that the joint resolution just received from the House be laid before the Senate.

The joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo., was read twice by its title.

Mr. COCKRELL. I ask unanimous consent that the joint resolution may be put on its passage. It has been favorably reported from the House, and has passed the House. It is recommended by the Secretary of War, and is only about ten lines long. Let it be read, and I know no one will object to it.

The PRESIDING OFFICER. The joint resolution will be read.

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

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

TROPHY AND MEDALS FOR RIFLE CONTESTS.

The PRESIDING OFFICER. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests was read twice by its title.

Mr. WARREN. I ask unanimous consent for the present consideration of that bill.

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

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

COAL-LAND LAWS OF ALASKA.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment, and agree to the bill as passed by the Senate with an amendment as follows:

On page 3, line 11, strike out the words "thirty days" and insert in lieu thereof the words "six months;" and the Senate agree to the same.

H. C. HANSBROUGH,
KNUTE NELSON,
Managers on the part of the Senate.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT,
Managers on the part of the House.

The report was agreed to.

RECESS.

Mr. CULLOM. The chairman of the Committee on Appropriations [Mr. ALLISON] has been compelled to leave the Senate Chamber. He has requested me to make a motion that the Senate take a recess until half past 10 o'clock to-morrow morning. I now make that motion.

The motion was agreed to; and (at 11 o'clock and 3 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 28, 1904, at 10.30 o'clock a. m.

AFTER THE RECESS.

The Senate reassembled, at the expiration of the recess, at 10.30 o'clock a. m.

ENROLLED BILLS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bills; which had previously been signed by the Speaker of the House of Representatives:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BERRY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the words "the following sums be and the same are" and insert in lieu thereof the following: "the sum of three million dollars be and the same is;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the language proposed insert "or to protect and preserve any existing Government work in the interest of navigation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 3. That in order to repair the damage caused by the flood of 1903, and to restore and continue the improvement in the levee system of the Mississippi River interrupted by that flood, the Secretary of War may, as recommended by the Mississippi River Commission, enter into contract or contracts for levee work upon the Mississippi River between Cairo and the Head of the Passes during the fiscal year ending June 30, 1905, to the extent of one million dollars, to be paid for out of the appropriation for that stretch of the river, authorized by the river and harbor act of 1902, for the fiscal year ending June 30, 1906, when the appropriation for the last-named fiscal year shall become available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 4. That no appropriations heretofore or hereafter made for improving harbors and deepening channels shall be used for the construction of Government dredges for use on the Great Lakes or on the Atlantic coast north of Cape Henry, unless there shall be a specific appropriation for that purpose: *Provided, however*, That this provision shall not apply to any dredge the construction of which has heretofore been authorized by the Secretary of War."

And the Senate agree to the same.

S. B. ELKINS,
KNUTE NELSON,
JAMES H. BERRY,
Managers on the part of the Senate.

T. E. BURTON,
B. B. DOVENER,
J. H. BANKHEAD,
Managers on the part of the House.

The report was agreed to.

EMPLOYMENT OF MESSENGER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted on this calendar day by Mr. BURROWS, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

PUYALLUP INDIAN RESERVATION.

Mr. COCKRELL. I move that the bill (S. 2112) authorizing the Indian allottees in the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes, being Order of Business 769 on the Calendar, be indefinitely postponed, a House bill on the same subject having passed the Senate.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

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

A bill (S. 2263) to require the employment of vessels of the United States for public purposes;

A bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;

A joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor; and

A joint resolution (S. R. 71) directing the Secretary of the Treasury to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4573) for the relief of Eugene Patenaude.

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

A bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington; and

A bill (H. R. 14622) prohibiting the selection of timber lands in lieu of lands in forest reserves.

ENROLLED BILLS SIGNED.

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

A bill (S. 127) authorizing the joining of Kalorama avenue;

A bill (S. 2134) to connect Euclid place with Erie street;

A bill (S. 2621) for the widening of V street NW.;

A bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

A bill (H. R. 940) granting a pension to Oscar M. Parsons;
A bill (H. R. 6049) granting an increase of pension to Peter B. Phillips;
A bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;
A bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, Seventh Kentucky district;
A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson;
A bill (H. R. 10077) granting a pension to Julia A. Henderson;
A bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes;
A bill (H. R. 14093) to incorporate the Carnegie Institution of Washington;
A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;
A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers; and
A joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. LODGE. I ask for the regular order.
The PRESIDENT pro tempore. The regular order is the unfinished business.
The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.
Mr. DUBOIS. I should like to inquire how the bill comes up?
The PRESIDENT pro tempore. It is the unfinished business. It was taken up on motion yesterday.
Mr. COCKRELL. To-day.
The PRESIDENT pro tempore. To-day, rather.
Mr. DUBOIS. So it is the same day?
Mr. LODGE. It is the same day.
Mr. DUBOIS. Very well.
The PRESIDENT pro tempore. The Senator from Massachusetts demanded the regular order, and this was the regular order.
Mr. LODGE. Let the bill be read.
Mr. CULBERSON. Before the bill is read, I desire to ask if this is the House bill and if the Senate bill has been substituted for it?
Mr. LODGE. The House bill was substituted for the Senate bill.
Mr. CULBERSON. I desire to call the attention of the chairman of the committee to a fact which he has probably noticed, that the House bill is not identical with the Senate bill.
Mr. LODGE. I understand that; and I propose, after the bill has been read, to offer committee amendments making the House bill correspond to the Senate bill.
The Secretary read the bill.
Mr. LODGE. There are two or three small committee amendments, which will lead to no debate, that I ask to have made.
On page 3, at the end of line 18, I move to strike out the word "property" and insert "real estate;" so as to make the proviso read:

Provided, That the entire indebtedness of any municipality shall not exceed 5 per cent of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void.

The amendment was agreed to.
Mr. LODGE. On page 4, line 12, after the word "well," I move to strike out the word "as."
The amendment was agreed to.
Mr. LODGE. In line 20 of the same page, after the word "form," I move to insert "of guaranty of income or interest."
The amendment was agreed to.
Mr. LODGE. That concludes the committee amendments. I now ask that the bill may be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON]——
Mr. FORAKER. I have an amendment that I wish to offer before the bill is laid aside.
Mr. LODGE. Certainly; excuse me. The Senator from Ohio has an amendment to offer.
Mr. STEWART. I wish to suggest to the chairman of the committee some difficulties about the mining portion of the bill.
Mr. FORAKER. Will the Senator from Nevada allow me to offer my amendment? It will be accepted, and then I will yield.
Mr. STEWART. Certainly.
Mr. FORAKER. I move to amend the bill by inserting at the end of section 1—that is, at the end of line 3, page 2—the following:

And all the provisions of this section are hereby made applicable to Porto Rico.

Mr. LODGE. I accept that amendment. It is simply to give the same bonding privileges to Porto Rico that the bill confers on the Philippine Islands. I mean public bonding.
Mr. STEWART. Before the bill passes from the consideration of the Senate I wish to call the attention of the chairman——
The PRESIDENT pro tempore. Will the Senator from Nevada allow the amendment of the Senator from Ohio to be considered first?
Mr. STEWART. Certainly.
The PRESIDENT pro tempore. The Senator from Ohio offers an amendment, which will be stated.
The SECRETARY. On page 2, after the words "District of Columbia," in line 3, insert:

And all the provisions of this section are made applicable to Porto Rico.

Mr. HALE. Let that be offered and be considered as pending. I do not want to agree that it shall be adopted nem. con.
The PRESIDENT pro tempore. It will be considered as pending.
Mr. LODGE. Now I renew my request.
Mr. STEWART. Will the Senator allow me to make just one suggestion?
Mr. DUBOIS. I wish to make an inquiry of the Senator from Massachusetts.
Mr. LODGE. Certainly.
The PRESIDENT pro tempore. The Senator from Nevada has been recognized.
Mr. STEWART. The bill contains a great many changes in the mining laws, and it would make it very difficult for American miners to understand them. For instance, the measurement is in meters instead of feet, and many Americans, otherwise intelligent, may not know the extent of a claim measured in meters. Besides, the claims are in rectangular form, and no right is given to follow the vein upon the dip beyond the side lines. It is true that in Mexico the claims are located in rectangular form, but by our usage the miner who has discovered a vein has a preference right to locate a side claim to insure his right to follow the dip beyond the side lines of his location. I think it would have been better to have made the law conform more clearly to the American mining law, because if mining is to be done in the Philippines Americans must do it, and the law ought to be made for American miners.
Mr. LODGE. All that was done elaborately in the other bill. This is a mere modification of the phrases in the other bill, that is all. The mining law is already in existence. But I do not desire to discuss the bill. The Senator from Idaho [Mr. DUBOIS] is on the committee and desires to make an inquiry.
Mr. DUBOIS. I desire to call the attention of the Senator from Massachusetts particularly to section 6. I assume that the bill will not be called up for passage at this session, because it will be debated a good deal, but I am somewhat bothered about section 6.
The Senator will recall that the boards of trade in Manila and the Americans there who are doing business are all insistent that Chinese cooly labor shall come into the Philippine Archipelago. Of course that is resisted very strenuously by the Senator from Massachusetts, as well as by others on the committee.
There are in the Philippine Islands, I think we all agree, at least 40,000,000 acres of public lands susceptible of cultivation. It is very rich land and is all especially adapted to sugar raising. Forty million acres is almost or quite twice as much land as there is altogether in such a State as Indiana. It is a vast empire. This provision, to my mind, seems to give to the Philippine Commission entire authority to administer as they see fit the immigration laws of the United States. I am quite sure that was not intended; but I wish to call the attention of the Senator from Massachusetts to it, so that, if my objection is well taken, before the bill comes up at some time that part of it can be carefully looked at.
Mr. LODGE. Mr. President, I am just as strongly opposed to the admission of Chinese into the Philippine Islands as the Senator from Idaho or anybody could possibly be.
Mr. DUBOIS. I understand that.
Mr. LODGE. I would not knowingly permit anything to pass which would facilitate their entrance into those islands.

As I understand this section, it is simply to put the administration of the laws of the United States in the hands of the Philippine government and that the taxes, the capitation taxes, whatever they are, may go into the Philippine treasury. It does not modify the laws of the United States at all; it simply shifts the administration.

But if the Senator can devise any amendment which he thinks will strengthen that section or make it clear, I hope he will do so. I would rather strike out the section than have any doubt whatever on that point.

Mr. DUBOIS. Very well.

Mr. LODGE. I will say that I do not expect in the closing hours to-day to pass this bill, because I am aware that there is to be a good deal of debate upon section 4. I merely desire to get the bill read and certain formal amendments adopted. I now ask that the bill be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON] may make a statement in regard to the appropriation bills.

Mr. ALLISON. Mr. President——

Mr. HEYBURN. Before the bill is laid aside I desire to move an amendment to it.

The PRESIDENT pro tempore. The Senator from Iowa was recognized.

Mr. HEYBURN. I would like to offer the amendment before the bill is laid aside.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. HEYBURN. I will ask the Senator to yield to me for a moment.

Mr. ALLISON. I have the floor through the courtesy of the Senator from Massachusetts, and——

Mr. HEYBURN. I do not want to have the bill laid aside until I can move an amendment, and I wish to have the opportunity to do so.

Mr. HALE. It can be brought up again immediately.

Mr. LODGE. It can be brought up immediately.

Mr. ALLISON. The bill will not be permanently displaced.

Mr. HEYBURN. Very well.

STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, I wish in these closing hours of the session to present some statements respecting the appropriations for the fiscal year 1905. I have here two or three tables relating to the appropriations made at the present session of Congress.

The first is a table which was prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and is the usual statement of appropriations at the end of every session.

I ask that it may be printed in the RECORD with one or two other tables explanatory, which I will also ask may be printed in the RECORD. Last year similar tables and explanations were made and printed as a separate document. I do not know but that ought to be done now.

Mr. COCKRELL. Let it be done this year in the same way.

Mr. ALLISON. Therefore I ask unanimous consent at this time that that order may be made.

The PRESIDENT pro tempore. The Chair hears no objection, and the tables will be printed in the RECORD.

Mr. ALLISON. And as a document.

The PRESIDENT pro tempore. And as a document.

Mr. ALLISON. This table discloses that the total appropriations for the fiscal year ending June 30, 1905, including all deficiencies and permanent appropriations, are, in round numbers, $28.000,000 in excess of the appropriations for the current year.

Mr. COCKRELL. Mr. President, we understand on both sides what these table are; that they are made out and are sanctioned by a Republican and a Democrat, so that there is nothing political or partisan in them.

Mr. ALLISON. The Senator is right. These tables are carefully prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and are absolutely correct. They are taken from the records and assented to by all political parties, if there are more than two.

Mr. President, as I was saying, this table discloses appropriations for the fiscal year 1905 of $28,000,000 in excess of the appropriations for the current year.

It is interesting, perhaps, to ascertain also the items of which this excess is made up, which I will allude to presently.

I also have here a comparison of the appropriations for the fiscal years 1901, 1902, 1903, 1904, and the appropriations as finally agreed to for next year. I ask that this table may be also inserted in the RECORD and in the document.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. ALLISON. I have another table which discloses the increases made for the next fiscal year over the appropriations made for the current year, aggregating, as I stated before, $28,000,000.

These increases are found chiefly in two or three items.

The first item to which I call attention is the increase in the appropriations for the District of Columbia, amounting in all to $2,383,643, of which $300,000 is an appropriation for the elimination of grade crossings in this city, made necessary by the changes as respects the railroad depots in the city.

Another increase of $50,000 is for the municipal building, authorized two years ago.

There is also an appropriation of $428,000 of the highway bridge across the Potomac, which was authorized four or five years ago.

But the chief item of increase is for the filtration plant, the amount appropriated being $968,000 over the appropriation of last year. This appropriation will complete the filtration plant and make it available for use certainly by December of this year.

So these increases in the appropriations for the District of Columbia are for absolutely necessary purposes, and I take it that there is no Member on either side of this Chamber who will say, now or hereafter, that these appropriations were unwise or unnecessary.

There are minor items running through the different bills, but the next item of importance is an increase of $16,128,000 for the Navy. For the construction of the new Navy there is appropriated an increase, in round numbers, of $7,000,000, and for the Naval Academy building, two and a half million dollars.

Another item of this increase is the appropriation for public works at navy-yards and stations of $2,463,000. I will not go into details respecting these items. I will merely say that the largest of them consists of two items, one for Subig Bay, having another name, which the Senator from Maine can give.

Mr. HALE. Olongapo.

Mr. ALLISON. Olongapo, which is the new naval station at Manila.

Mr. HALE. In Philippine waters.

Mr. ALLISON. In Philippine waters, 40 miles, more or less, from Manila.

Mr. HALE. Yes.

Mr. ALLISON. One of the other largest items is for the purchase of land by way of enlargement of the naval station at Norfolk, Va., and for an increase of the improvements at that navy-yard; and there are other minor items aggregating in all $15,000,000, or within $1,000,000 of the total increase of this year.

I take it that these increases in detail, whether as respects the increase of the Navy authorized some years ago for the construction of ships and which will be expended upon ships now under construction, or whether applied to the increase of expenditures at our navy-yards and our naval stations, will be approved on both sides of this Chamber.

So, of the $28,000,000, $16,000,000 is practically for the increase of the efficiency of the Navy.

The next large item of increase is for the postal service, which is $19,000,000. This increase in the postal service is made up of a few large items—increase of compensation to postmasters, made necessary by an increase in the service; clerks to postmasters; mail transportation, an item of $4,000,000, being a fixed item of increase by reason of the increased weight of the mail transported.

The next item of increase, which is the largest of the $19,000,000, is for letter carriers and clerks in charge of substations for rural free delivery, which amounts, in round numbers, to $8,000,000. This is a service which I believe is not criticised in this Chamber. If it is criticised here, it is in a friendly way, and I am sure that it is not criticised in any rural region of the country.

Mr. CULLOM. What is the total increase, I will ask the Senator from Iowa?

Mr. ALLISON. Nineteen million dollars is the total increase for the postal service, and $8,000,000 of this increase over the current fiscal year is for letter carriers and clerks at substations in the rural free-delivery service. So these items which I have named and other items, amounting in all to $18,275,000 of this $19,000,000, is for a service in which the public is interested and about which I have heard no criticism.

The appropriations for the postal service were made by the Committee on Post-Offices and Post-Roads. I am glad to say now, at the end of this session, that that committee, one of the ablest in the Senate, passed that bill through this body without criticism from any member of the committee as respects the items of appropriation. So I take it that committee was reasonably careful in analyzing and scrutinizing the various items, and especially will that appear when we see here the items of increase over the appropriations of the current year.

These two items of appropriation, for the Navy and Post-Office,

account for $25,000,000 of the total increase of appropriations for the next year over the appropriations for the current year.

The permanent annual appropriations are also increased $8,832,000, but these increases are practically upon paper. They are not increases that go to the substance. The largest increase is $5,000,000 for the national bank note redemption account. That is a flexible account, whereby bank notes redeemed are appropriated for, and then the deposits made by the national banks reimburse the appropriation. So, although appearing to be an increase in the permanent annual appropriation, it is merely a matter of bookkeeping, and this increase in the permanent appropriation of $5,000,000 is, as I have said, on paper.

Mr. GORMAN. Will the Senator from Iowa state the gross amount of the permanent appropriations? I did not catch the figures on account of the confusion in the Chamber.

Mr. ALLISON. The gross amount of the permanent appropriations for the next year is $141,471,820.

Mr. GORMAN. I thank the Senator.

Mr. ALLISON. And the appropriations for the current year are $132,589,820, making an increase for next year of $8,882,000. I have accounted for that by stating that the chief item of increase is that of the bank-note redemption fund.

There is another increase of $2,250,000, which is known as the "reclamation fund." There is a permanent appropriation provided for by law relating to irrigation, whereby the annual funds that are paid into the Treasury from the sale of public lands are set aside for purposes of irrigation. That fund, I understand, which is in the Treasury, will be $18,000,000 when this appropriation is effective. Though it is in the Treasury it is segregated, and no part of this reclamation fund can be used for any other purpose; but it can not be charged in any sense as an appropriation against the current revenues, because its disposition was provided for four or five years ago by the joint action of the Senate and House of Representatives setting these receipts aside for that purpose.

Mr. STEWART. I suggest to the Senator from Iowa, in that connection, that it might be well to state that as the people take the land they pay for the irrigation, and that money is put into this fund.

Mr. ALLISON. Yes. I did not state that, because I supposed the Senate was familiar with it. Of course, when the arid lands are irrigated and sold the proceeds of the sales go again into that fund, and in that way it is a kind of endless chain or a revolving current, whereby in the future large sums of money will be expended by the Treasury, but they will be returned to the Treasury. So it is probable that at some time in the future—just when, I do not know—this segregation of receipts for this specific purpose will be discontinued.

There is only one other item of increase in the permanent appropriations of importance, and that is the supply of arms to the National Guard and militia of the country. That is increased for the next year $750,000, arising out of laws on the statute book placed there two years ago, I think, whereby the War Department was required to furnish the National Guard and the militia of the country with small arms.

Thus it will be seen that these increases and the amount of the total increase disclose that the appropriations are made for necessary and proper purposes under existing law.

There are some other items in connection with these appropriations to which I ought to allude, and especially, perhaps, to the appropriation for pensions. The appropriations for the current year 1904, including the deficiencies for this year, will be greater than the appropriations for 1905.

Mr. CULLOM. Are they greater than they were last year?

Mr. ALLISON. They are greater this year than they will be next year, unless there is a deficiency next year, which there probably will be.

We have also increases in the deficiencies for this year. These increases are made up of only one or two items of importance, the chief item being for the St. Louis exposition, which certainly will not be criticised in a party sense. It seemed to be necessary that that appropriation should be made, although there is a hope and an expectation that the whole amount of this appropriation for the St. Louis exposition will be refunded to the Treasury largely within this fiscal year and during the beginning of the next fiscal year.

So I hope there will be no special weight attached to this appropriation for the St. Louis exposition—the Louisiana Purchase Exposition, I believe I should properly call it.

Mr. COCKRELL. The Louisiana Purchase Exposition is the proper name.

Mr. ALLISON. That is its technical name. I believe the appropriation for that exposition is a pleasure to the people of the United States, being in commemoration of that great event which had for its father Thomas Jefferson, for whom, in one of the appropriation bills, we have provided at this late day a suitable memorial in the form of a statue.

Mr. ALDRICH. I wish to ask the Senator from Iowa if he has made any estimate of the total cost to the United States of the Louisiana Purchase Exposition, including the exhibits of the Government and the appropriations, direct and indirect?

Mr. ALLISON. I have not made such an estimate, but a little figuring will enable us to ascertain the total cost of the Louisiana Purchase Exposition. As I remember, we appropriated during previous years about $5,000,000 for that exposition, and possibly something more.

Mr. ALDRICH. There was one item of $5,000,000.

Mr. ALLISON. Yes; there was one item of $5,000,000 or more for the Government exhibit, and probably another of a million dollars; and we have appropriated at this present session about $4,600,000 for that exposition in the form of a loan, to be refunded to the Treasury.

Mr. ALDRICH. But that does not include the Government exhibit and a number of large expenditures connected with this exposition in other years.

Mr. ALLISON. That does include the million dollars, as I have stated, and includes nearly all, I think, of the expenditures for the Government exhibit, which will amount to about $1,000,000. I am now speaking from memory. The senior Senator from Missouri [Mr. COCKRELL] will correct me if I am wrong.

Mr. COCKRELL rose.

Mr. BAILEY. The Senator from Iowa invited a correction by the Senator from Missouri, and I yield, of course, to the Senator from Missouri.

Mr. COCKRELL. No; go ahead.

Mr. BAILEY. But, as a matter of fact, the $5,000,000 that was originally appropriated does not include the cost of making exhibits by the Government.

Mr. ALLISON. I so stated.

Mr. BAILEY. I thought the Senator said it did.

Mr. ALLISON. No; I stated that, in addition, we had appropriated about $1,000,000.

Mr. BAILEY. I did not hear the Senator use that expression.

Mr. MITCHELL. We have appropriated about $6,500,000 altogether.

Mr. ALLISON. Yes; outside of the loan; but I hope we shall have a general consensus of opinion that this appropriation of $4,600,000, in the nature of a loan, will not be, or at least ought not to be, a burden upon the Treasury; and if it is, I think the criticism, whatever it may be, will not be partisan.

Mr. President, I think I have explained the chief items in these tables, disclosing why it is that we have this year an increase of $28,000,000 over the appropriations of last year.

I have another table here about which I desire to speak for a moment, and I shall ask, Mr. President, to insert another table in this statement, to be printed in the RECORD and made a part of the document.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

Mr. ALLISON. Of course, there are increases and decreases in every appropriation bill, comparing years. Some years we have increases because of new items authorized by law, and again other items authorized by law drop out and pass away. Last year we had no general river and harbor bill. This year we have only a partial river and harbor bill. Our appropriations last year for rivers and harbors in the sundry civil act, to carry out contracts authorized by law, amounted to $20,228,150, and this year they are $7,872,200 in the sundry civil bill, and in the river and harbor bill that has just passed this morning $3,000,000 more are appropriated; so that the appropriations for the rivers and harbors of the country for the next year are less than they were last year by $9,355,950.

I make these statements in order that Senators may see that on the whole the appropriations made at the present session of Congress for the next fiscal year are appropriations that are in the main necessary for the conduct of the Government; and with the widest and fullest debate, and opportunity for debate in this Chamber, I do not call to mind any particular criticism of any of the great appropriation bills by Senators on either side. So I take it for granted that they will not be criticised.

Mr. President, there is another thing that I had occasion to look into somewhat, and that is the obligations created by the various bills passed through Congress at this session as compared with similar bills in other sessions. I believe it was the President pro tempore of this body who invented and exploited the idea that in the execution of great public works it was a wise thing to provide for current appropriations to be expended during the year for which the appropriations were made, and to authorize the entering into of contracts, thus binding future Congresses to make appropriations for public works.

We have had that plan now for a good many years, and I am glad to say that, looking over the last few years, the obligations created this year by our several laws on account of contracts are less than they have been for many years, with the exception of a single year, the total amount being, I think, less than $24,000,000, or about that sum. Of course, these obligations will run over some years.

I shall content myself for the time being with these explanations.

The tables referred to are as follows:

Chronological history of appropriation bills, second session of the Fifty-eighth Congress; estimates and appropriations for the fiscal year 1904–5, and appropriations for the fiscal year 1903–4.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1905.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture	$6,729,880.00	1904. Feb. 4	$5,711,240.00	1904. Feb. 5	$5,711,240.00	1904. Feb. 15	$6,072,380.00	1904. Feb. 25	$6,072,280.00
Army	77,161,446.13	Jan. 19	75,841,537.88	Jan. 25	75,089,957.88	Mar. 4	77,620,942.32	Mar. 9	77,819,131.76
Diplomatic and consular	2,236,300.69	Jan. 28	1,995,800.69	Feb. 4	1,995,800.69	Feb. 8	2,073,100.69	Feb. 9	2,073,100.69
District of Columbia[a]	13,017,581.00	Feb. 23	10,194,477.00	Mar. 3	10,194,477.00	Mar. 23	11,363,204.00	Mar. 20	11,382,904.00
Fortification	12,099,297.00	Feb. 16	7,131,192.00	Feb. 18	7,131,192.00	Mar. 8	7,637,192.00	Mar. 13	8,163,292.00
Indian	7,502,252.54	Feb. 20	7,630,871.41	Mar. 5	7,642,192.35	Mar. 21	10,511,405.73	Mar. 24	10,511,405.73
Legislative, etc	29,711,700.48	Jan. 11	28,258,895.22	Jan. 14	28,288,655.22	Feb. 24	28,736,233.22	Feb. 25	28,734,533.22
Military Academy	1,045,387.01	Mar. 11	955,579.26	Apr. 5	955,579.26	Apr. 22	3,000,966.84	Apr. 26	975,966.84
Navy	102,866,449.34	Feb. 11	96,338,040.94	Feb. 26	97,524,540.94	Mar. 1	98,255,940.94	Mar. 7	99,039,434.59
Pension	138,152,600.00	1903. Dec. 10	138,150,100.00	1903. Dec. 17	138,150,100.00	Mar. 1	138,330,700.00	Apr. 21	138,360,700.00
Post-office[b]	168,085,770.00	1904. Mar. 5	169,996,588.75	1904. Mar. 25	170,376,088.75	Mar. 29	173,053,878.75	Apr. 12	173,550,398.75
River and harbor	[c]16,393,990.00	Apr. 7	3,000,000.00	Apr. 11	3,000,000.00	Apr. 18	3,100,000.00	Apr. 21	3,100,000.00
Sundry civil	[d]67,499,732.60	Mar. 25	55,623,001.11	Apr. 1	56,248,306.11	Apr. 14	59,102,400.15	Apr. 20	58,906,400.15
Total	642,502,386.79		600,827,324.26		602,308,130.20		618,888,344.64		618,689,647.73
Urgent deficiency, 1904, and prior years	[e]27,000,000.00	Jan. 23	11,251,308.18	Jan. 30	11,026,195.17	Feb. 2	16,378,411.39	Feb. 5	16,390,458.24
Deficiency, 1904, and prior years		Apr. 13	10,386,744.76	Apr. 18	10,401,620.76	Apr. 20	11,342,146.62	Apr. 23	11,491,541.72
Total	669,502,386.79		622,465,377.20		623,735,946.13		646,608,902.65		646,571,647.69
Miscellaneous	[c]20,000,000.00								
Total, regular annual appropriations	689,502,386.79								
Permanent annual appropriations	[f]141,471,820.00								
Grand total, regular and permanent annual appropriations	830,974,206.79								

Title.	Law, 1904–5.		Law, 1903–4.
	Date.	Amount.	Amount.
Agriculture	1904. Apr. 23	$5,902,040.00	$5,978,160.00
Army	do	77,070,300.88	77,888,752.83
Diplomatic and consular	Mar. 12	2,020,100.69	1,968,250.69
District of Columbia[a]	Apr. 27	11,021,740.00	8,638,097.00
Fortification	Apr. 21	7,518,192.00	7,188,416.22
Indian	Apr. 1	9,447,961.40	8,540,406.77
Legislative, etc	Mar. 18	28,556,913.22	27,598,653.66
Military Academy	Apr. 28	975,966.84	652,748.67
Navy	Apr. 27	98,005,140.94	81,876,791.43
Pension	do	138,360,700.00	139,847,600.00
Post-Office[b]	Apr. 28	172,574,998.75	153,511,549.75
River and harbor	do	[g]3,000,000.00	[h]
Sundry civil	do	[i]57,846,911.34	[j]82,372,360.10
Total		612,300,966.06	596,061,787.12
Urgent deficiency, 1904 and prior years	Feb. 18	16,130,111.39	21,465,660.25
Deficiency, 1904 and prior years	Apr. 27	10,671,732.54	
Total		639,102,809.99	617,527,447.37
Miscellaneous		1,000,000.00	2,941,238.65
Total regular annual appropriations		640,102,809.99	620,468,686.02
Permanent annual appropriations		[f]141,471,820.00	[k]132,589,820.00
Grand total regular and permanent annual appropriations		781,574,629.99	[l]753,058,506.02

Amount of estimated revenues for fiscal year 1905	$545,000,000.00
Amount of estimated postal revenues for fiscal year 1905	159,472,060.72
Total estimated revenues for fiscal year 1905	704,472,060.72

[a] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1905 at $132,756), which are payable from the revenues of the water department.

[b] Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

[c] This amount is exclusive of $8,697,037 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1905.

[d] This amount includes $8,697,037 to meet contracts authorized by law for river and harbor improvements for 1905.

[e] This amount is approximated.

[f] This amount includes $56,500,000, estimated to meet the requirements of the sinking fund.

[g] In addition to this amount, the sum of $7,872,200 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1905.

[h] No river and harbor bill passed for 1904, but the sum of $20,228,150.99 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1904.

[i] This amount includes $7,872,200 to carry out contracts authorized by law for river and harbor improvements for 1905.

[j] This amount includes $20,228,150.99 to carry out contracts authorized by law for river and harbor improvements for 1904.

[k] This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1904, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

[l] In addition to this amount contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, $1,460,000; by the naval act, $22,526,000; by the sundry civil act, $7,850,000; by the act of March 3, 1903 (public buildings act), $5,153,859.34; in all, $36,989,859.34.

Comparison of appropriations, fiscal years 1905 and 1904.

Title of act.	Law, 1905.	Law, 1904.	Increase, 1905 over 1904.	Decrease, 1905 under 1904.
Agricultural	$5,902,040.00	$5,978,160.00		$76,120.00
Army	77,070,300.88	77,888,752.83		818,451.95
Diplomatic and consular	2,020,100.69	1,968,250.69	$51,850.00	
District of Columbia	11,021,740.00	8,638,097.00	2,383,643.00	
Fortifications	7,518,192.00	7,188,416.22	329,775.78	
Indian	9,447,961.40	8,540,406.77	907,554.63	
Legislative, etc	28,556,913.22	27,598,653.66	958,259.56	
Military Academy	975,966.84	652,748.67	323,218.17	
Navy	98,005,140.94	81,876,791.43	16,128,349.51	
Pensions	a142,360,700.00	139,847,600.00	2,513,100.00	
Post-office	172,574,998.75	153,511,549.75	19,063,449.00	
River and harbor (including contract work)	10,872,200.00	20,228,150.99		9,355,950.99
Sundry civil (exclusive of river and harbor contract work)	49,974,711.34	62,144,209.11		12,169,497.77
Total	616,300,966.06	596,061,787.12	42,659,199.65	22,420,020.71
Deficiencies	22,801,843.93	21,465,660.25	1,336,183.68	
Total	639,102,809.99	617,527,447.37	43,995,383.33	22,420,020.71
Miscellaneous	1,000,000.00	2,941,238.65		1,941,238.65
Total regular annual appropriations	640,102,809.99	620,468,686.02	43,995,383.33	24,361,259.36
Permanent annual appropriations	141,471,820.00	132,589,820.00	8,882,000.00	
Grand total, regular and permanent annual appropriations	781,574,629.99	753,058,506.02	52,877,383.33	24,361,259.36
Net increase			28,516,123.97	

a Includes $4,000,000 in deficiency act.

Comparison of appropriations, fiscal years 1901, 1902, 1903, 1904, and 1905.

Title of act.	1901.	1902.	1903.	1904.	1905.
Agricultural	$4,023,500.00	$4,582,420.00	$5,208,960.00	$5,978,160.00	$5,902,040.00
Army	114,220,095.55	115,734,049.10	91,730,136.41	77,888,752.83	77,070,300.88
Diplomatic and consular	1,771,168.76	1,849,428.76	1,957,925.69	1,968,250.69	2,020,100.69
District of Columbia	7,577,369.31	8,502,269.94	8,544,469.97	8,638,097.00	11,021,740.00
Fortifications	7,383,628.00	7,364,011.00	7,298,955.00	7,188,416.22	7,518,192.00
Indian	8,197,989.24	9,747,471.09	8,986,028.10	8,540,406.77	9,447,961.40
Legislative, etc	24,175,652.53	24,594,968.85	25,396,681.50	27,598,653.66	28,556,913.22
Military Academy	674,306.67	772,653.68	2,627,324.42	652,748.67	975,966.84
Navy	65,140,916.67	78,101,791.00	78,856,963.13	81,876,791.43	98,005,140.94
Pensions	145,245,230.00	145,245,230.00	139,842,230.00	139,847,600.00	a142,360,700.00
Post-office	113,658,238.75	123,782,688.75	138,416,598.75	153,511,549.75	172,574,998.75
River and harbor (including contract work)	16,260,605.75	7,046,623.00	32,540,199.50	20,228,150.99	10,872,200.00
Sundry civil (exclusive of river and harbor contract work)	49,619,309.70	54,749,285.21	54,394,601.63	62,144,209.11	49,974,711.34
Total	557,948,010.93	582,072,890.38	595,800,474.10	596,061,787.12	616,300,966.06
Deficiencies	15,688,330.61	15,917,446.94	28,050,007.32	21,465,660.25	22,801,843.93
Miscellaneous	3,802,301.34	7,990,018.67	52,852,795.13	2,941,238.65	1,000,000.00
Total regular annual appropriations	577,438,642.88	605,980,355.99	676,703,276.55	620,468,686.02	640,102,809.99
Permanent annual appropriations	132,712,220.00	124,358,220.00	123,921,220.00	132,589,820.00	141,471,820.00
Grand total	710,150,862.88	730,338,575.99	800,624,496.55	753,058,506.02	781,574,629.99

a Including $4,000,000 in deficiency act.

Mr. CULBERSON. Mr. President, the statement which has just been presented by the Senator from Iowa [Mr. ALLISON] is a useful and valuable one. Among other matters, he has made a comparison of the expenditures during the past two or three years. I desire, Mr. President, to go somewhat further back in a comparison of the expenditures of the Government, covering, in fact, the past twelve years, beginning with the first full year of the last Administration of Mr. Cleveland. For that purpose I present at this point a table, which I have myself copied from the reports of the Secretary of the Treasury, showing the total revenues and the total expenses of each year. I present the table now, but without reading it, so as not to occupy unnecessarily the time of the Senate. I ask that the table may be printed in the RECORD.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

The table referred to is as follows:

Total revenues and expenditures for the past twelve years as shown by the reports of the Secretary of the Treasury.

CLEVELAND.

Year.	Revenues.	Expenditures.	Deficit.
1894	$372,802,498.29	$442,605,758.87	$69,803,260.58
1895	390,373,203.30	433,178,426.48	42,805,223.18
1896	409,475,408.78	434,678,654.48	25,203,245.70
1897	430,387,167.89	448,439,622.30	18,052,454.41

M'KINLEY.

1898	$494,333,953.75	$532,381,201.35	$38,047,247.60
1899	610,982,004.35	700,093,564.02	89,111,559.67
1900	669,595,431.18	590,068,371.00	a79,527,060.18
1901	699,316,530.92	621,598,546.54	a77,717,984.38

Total revenues and expenditures for the past twelve years, etc.—Continued.

ROOSEVELT.

Year.	Revenues.	Expenditures.	Deficit.
1902	$684,326,280.47	$593,038,904.90	a$91,287,375.57
1903	694,621,117.64	640,323,450.28	a54,297,667.36
1904 (estimated)	674,767,664.00	660,767,664.00	a14,000,000.00
1905 (estimated)	704,472,060.72	747,694,001.44	43,121,939.28

a Surplus.

Mr. CULBERSON. In the first full fiscal year of McKinley (1898) the expenditures, as shown by the foregoing table, exceeded those of the first full fiscal year of Cleveland (1894) by $89,775,442.48. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by $159,333,631.62. The last year of Cleveland exceeded his first year by only $5,833,863.43.

Mr. ALDRICH. What years were those to which the Senator referred? Will he state them again?

Mr. CULBERSON. I will state it again. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by $159,333,631.62. The last year of Cleveland exceeded his first year by only $5,833,863.43, while the last year of McKinley exceeded his first year by $75,392,052.57. During the four years of Cleveland the total expenditures amounted to $1,758,699,216.43, while during the four years of McKinley the total expenditures were $2,430,316,390.29, an increase in four years under McKinley of $671,617,173.86——

Mr. HOPKINS. I desire to ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Illinois?

Mr. CULBERSON. I decline to yield for the present, Mr. President. I want to make this statement consecutively. I will answer any question afterwards.

Taking from this the deficit of $18,052,454.41, coming over from Cleveland in 1897, there will be left a net increase of $653,564,719.45, or about 38 per cent. The notable increase of expenditures in 1898 over 1894 was $6,275,083.65 for pensions, $8,743,650.59 interest on the public debt, $27,122,691.01 in the naval establishment, and $37,424,070.44 in the military establishment. The notable increase in 1901 over 1897 was $25,438,453.71 in the naval establishment, $35,747,938.31 in the civil establishment, and $91,049,732.11 in the military establishment.

Of the total net increase of $653,564,719.45 for the four years, the notable increase, in round numbers, exclusive of the postal service, was $19,000,000 interest on the public debt, $29,000,000 in the civil establishment, $116,000,000 in the naval establishment, and $391,000,000 in the military establishment.

President Roosevelt assumed office September 14, 1901, and as soon as he became firmly established in power and control, it will be observed, increased expenditures began. The total expenditures, actual and estimated, for the four years of his incumbency aggregate $2,641,724,019.18, which is $211,407,628.89 greater than the four years of McKinley, though he conducted the Spanish war, and $883,024,802.75 greater than the four years of Cleveland. In the first full fiscal year of Roosevelt (1903) expenditures exceeded those of the first full fiscal year of McKinley (1898) by $107,942,248.83, and in the last full fiscal year of Roosevelt (1905) expenditures, as estimated by the Secretary of the Treasury, will exceed those of the last full fiscal year of McKinley (1901) by $105,875,660.25.

Mr. ALDRICH. Will the Senator give me the figures for the first fiscal year of the present Administration, if he has them?

Mr. CULBERSON. After I read this consecutively I will. The last year of McKinley exceeded his first by $75,392,052.57, while the last year of Roosevelt will exceed his first year by $134,435,301.89. Of the total increase of $883,024,802.75 for the four years of Roosevelt as compared with the four years of Cleveland, the notable increase, exclusive of the postal service, is, in round numbers, $160,000,000 in the civil establishment, $231,000,000 in the naval establishment, and $284,000,000 in the military establishment. The total cost of the military establishment, exclusive of pensions, during the four years of Roosevelt, exceeds that of Cleveland by $515,000,000.

The War Department has furnished me a statement of the war budgets of Great Britain, France, and Germany for the year 1903, including pensions, and I desire to insert at this point in the brief statement I am making these budgets from the War Department, to which I have added those of the United States for 1903 and the estimated expenses of the military establishment for 1905.

Statement of budgets of Great Britain, France, and Germany during 1903.

GREAT BRITAIN.[a]

Army: Ordinary budget	$168,709,355.00
Navy: Ordinary budget	172,287,500.00
Total	340,996,855.00

FRANCE.[b]

Army:	
Ordinary budget	$131,348,048.00
Extraordinary budget	6,212,000.00
Navy: Ordinary budget	62,694,905.00
Total	200,254,953.00

GERMANY.

Army:	
Ordinary budget	$143,401,436.00
Extraordinary budget	16,082,267.00
Navy:	
Ordinary budget	23,367,048.00
Extraordinary budget	35,344,467.00
Total	218,195,218.00

GREAT BRITAIN.

Ordinary total budget (1903):	
Army	$135,424,355.00
Navy	172,287,500.00
Total	307,711,855.00

UNITED STATES FOR 1903.

War	$118,619,520.15
Navy	82,618,034.18
Pensions	138,425,646.07
Total	339,662,200.40

UNITED STATES FOR 1905.[c]

War	$142,294,000.00
Navy	106,841,000.00
Pensions	138,152,600.00
Total	387,287,600.00

[a] The budget for Great Britain includes extraordinary credits for the Transvaal war, the expedition to China and to Somaliland, etc. The ordinary budget amounts to $135,424,355.

[b] The war budget includes $7,658,269 for the gendarmerie and $5,551,441 for colonial troops.

[c] Estimated.

WAR DEPARTMENT,
OFFICE OF THE ADJUTANT-GENERAL,
Washington, April 25, 1904.

Hon. CHARLES A. CULBERSON,
The Normandie, Washington.

DEAR SENATOR CULBERSON: Complying with your request over the 'phone this afternoon, I beg to hand you herewith a memorandum showing the costs of the military establishments of England, France, and Germany, including pensions, so far as can be shown from the data on file in the military information division of this Department.

Trusting the memorandum contains the information you desire, I am,

Very truly, yours,

W. P. HALL,
Brigadier-General, Assistant Adjutant-General.

Mr. CULBERSON. The total war budget of Great Britain for 1903 was $340,996,855; for Germany, $218,195,218, and for France, $200,254,953. The total expenses of the military establishment of the United States for 1903 was, in round numbers, $339,000,000. If the expenses of the British operations in South Africa are excluded, the war budget of the United States for 1903 exceeded that of Great Britain by $32,000,000; Germany by $121,000,000, and France by $139,000,000. The Secretary of the Treasury estimates that the total cost of the military establishment of the United States for 1905, including pensions, will approximate $387,287,600, which it will be observed still further increases this character of expenditures in the United States over those of Great Britain, France, and Germany.

Mr. ALDRICH. That is for the Army and Navy and pensions, I suppose.

Mr. CULBERSON. I also ask leave to insert as a part of this statement the letter of the Secretary of the Treasury, dated April 25, 1904, in which he gives me the estimates of expenditures for 1905, which I have used in the statement, that I will now send to the desk to have printed.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Is there objection to the request of the Senator from Texas?

Mr. ALDRICH. Before consent is given to print the statement, I desire to have the sum of the expenditures for the several years upon which this statement is based read at the desk.

Mr. CULBERSON. If the Senator from Rhode Island is to pursue that course, I will myself read the statement.

Mr. ALDRICH. I desire to have the expenditure stated.

Mr. CULBERSON. I ask the Senator from Rhode Island if he objects to my having the table printed?

Mr. ALDRICH. I desire to have it read, in order that I may hear it—I refer to the statement of the expenditures for a series of years—so that I may see upon what the comparison is based.

Mr. CULBERSON. As I have stated, these figures are copied from the several reports of the Secretary of the Treasury. Does the Senator want the figures for 1904?

Mr. ALDRICH. I want the Senator to read the figures for the period of Mr. McKinley's Administration and the period of Mr. Cleveland's Administration. I wish to see what his figures are.

Mr. CULBERSON. The total revenues for 1904——

Mr. ALDRICH. I am not talking about revenues. I am talking about expenditures.

Mr. CULBERSON. Four hundred and forty-two million dollars expenditures, in round numbers

Mr. ALDRICH. What year?

Mr. CULBERSON. Eighteen hundred and ninety-four. Eighteen hundred and ninety-five, $433,000,000; 1896, $434,000,000; 1897, $448,000,000.

Mr. ALDRICH. That is sufficient. I merely wanted to get the basis upon which the statement is made.

Mr. CULBERSON. The basis is the report of the Secretary of the Treasury, in which he states that it includes the total expenditures of the United States for all purposes for each of the several years.

The PRESIDING OFFICER. Without objection, the statement presented by the Senator from Texas will be ordered printed in the RECORD.

The letter of the Secretary of the Treasury referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 25, 1904.

Hon. C. A. CULBERSON,
United States Senate.

SIR: In reply to your request of to-day I have the honor to inform you that the estimates of appropriations for the year 1905, as submitted by the several Executive Departments and offices and transmitted to Congress at the beginning of and during the present session, aggregate, in round numbers, as follows:

For the civil establishment, including foreign intercourse, public buildings, collecting the revenues, District of Columbia, and miscellaneous expenses	$165,697,000
For the military establishment, including rivers and harbors, forts, arsenals, seacoast defenses, etc	142,294,000
For the naval establishment, including construction of new vessels, machinery, armament, equipment, improvements at navy-yards, etc	106,841,000
For Indian affairs	10,888,000
For pensions	138,152,000
For postal service, payable from postal revenues	159,472,000
(Deficiency, $8,600,000, payable from Treasury and charged in civil establishment).	
For interest on the public debt	24,250,000
Total, exclusive of the sinking fund	747,594,000

As the appropriations for the year 1905 have not all been made, it is impossible for the Department to estimate the expenditures falling within the ensuing fiscal year.

Respectfully, L. M. SHAW, *Secretary.*

Mr. GORMAN obtained the floor.

Mr. STEWART. I should like to ask the Senator from Texas one question.

Mr. CULBERSON. Certainly.

The PRESIDING OFFICER. Does the Senator from Maryland yield?

Mr. GORMAN. Yes.

Mr. STEWART. Can the Senator inform us whether it would take more or less labor and commodities at present prices to pay the expenses of the Government under Roosevelt or McKinley than it did to pay the expenses of the Government at the then prices under Cleveland? As I understand, the average prices of labor and commodities are double what they were at that time. Consequently, money is worth only half as much. Commodities are worth double. In considering the expenditures of different Administrations we ought to take into account, it seems to me, the value of labor and of commodities in order to see whether the burdens are greater now than they were then.

Mr. GORMAN. Of course there is no intention on the part of anyone to go into the discussion suggested by the Senator from Nevada.

MESSAGE FROM THE HOUSE.

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

A bill (S. 1750) to provide an American register for the British ship *Pyrenees;*

A bill (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901; and

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota.*

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

A bill (H. R. 5067) to prevent the fraudulent sale of merchandise;

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the District of Alaska;

A bill (H. R. 9773) granting an increase of pension to Absalom Thilts;

A bill (H. R. 11444) to grant certain lands to the State of Ohio; and

A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson.

The message further announced that the House had passed a bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia; in which it requested the concurrence of the Senate.

The message also 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. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; and

A bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes.

The message further announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock post meridian; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York;

A bill (S. 3869) for the extension of Albemarle street;

A bill (H. R. 23) in relation to pharmacy in the Indian Territory;

A bill (H. R. 487) granting an increase of pension to Mary J. Waugh;

A bill (H. R. 698) granting an increase of pension to William M. Crow;

A bill (H. R. 740) granting an increase of pension to Ira Meserve;

A bill (H. R. 749) granting an increase of pension to Humphrey M. Glines;

A bill (H. R. 934) granting an increase of pension to Frank Brock;

A bill (H. R. 1093) granting a pension to Rose B. Noa;

A bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney;

A bill (H. R. 2124) granting an increase of pension to Henry J. Grannis;

A bill (H. R. 2499) granting an increase of pension to Smith Bilderback;

A bill (H. R. 2577) granting an increase of pension to Harmon P. Cole;

A bill (H. R. 2675) granting an increase of pension to Robert J. Tate;

A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;

A bill (H. R. 3036) granting an increase of pension to William H. Romaine;

A bill (H. R. 3107) granting an increase of pension to James E. Chappell;

A bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

A bill (H. R. 3431) granting an increase of pension to William Basnett;

A bill (H. R. 3921) granting an increase of pension to Madison C. Staves;

A bill (H. R. 3924) granting an increase of pension to Ira Waldo;

A bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia;

A bill (H. R. 4152) granting an increase of pension to George B. Hartley;

A bill (H. R. 4379) granting an increase of pension to Alexander Adams;

A bill (H. R. 4398) granting a pension to Ellen A. Wilson;

A bill (H. R. 4572) granting an increase of pension to Peter Lauder;

A bill (H. R. 4573) for the relief of Eugene Patenaude;

A bill (H. R. 4582) granting an increase of pension to John S. Miller;

A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler;

A bill (H. R. 4602) granting an increase of pension to Helim Thompson;

A bill (H. R. 4771) granting a pension to Aaron Taylor;

A bill (H. R. 4891) granting a pension to Julia R. Braxton;

A bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett;

A bill (H. R. 5012) granting an increase of pension to Jacob Reitzel;

A bill (H. R. 5309) granting an increase of pension to John McConnell;

A bill (H. R. 5565) granting a pension to Eliza Workman;

A bill (H. R. 5711) granting an increase of pension to Jacob Chronister;

A bill (H. R. 5725) granting a pension to Grace Dressel;

A bill (H. R. 5839) granting an increase of pension to Thomas Ellmaker;

A bill (H. R. 6111) granting an increase of pension to Edwin A. Morris;

A bill (H. R. 6182) granting a pension to Erastus J. Horton;

A bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer;

A bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

A bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn;

A bill (H. R. 6718) granting an increase of pension to James E. Phillips;

A bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore;

A bill (H. R. 7085) granting an increase of pension to William Spiegelberg;

A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee;

A bill (H. R. 7373) granting a pension to Harriet J. Woodbury;

A bill (H. R. 7497) granting a pension to Emma A. Webster;

A bill (H. R. 8280) granting an increase of pension to James A. Morrison;

A bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia;

A bill (H. R. 8716) granting an increase of pension to Peter Creager;

A bill (H. R. 9107) granting a pension to Margaret J. Randolph;
A bill (H. R. 9338) granting an increase of pension to Solon D. Moore;
A bill (H. R. 9354) granting an increase of pension to John Richmond;
A bill (H. R. 9365) granting an increase of pension to John S. Edgar;
A bill (H. R. 9394) granting an increase of pension to Mary Leffler;
A bill (H. R. 9457) for the relief of Alexander S. Rosenthal;
A bill (H. R. 9477) granting an increase of pension to George Smith;
A bill (H. R. 9623) granting an increase of pension to Robert H. Betts;
A bill (H. R. 9891) confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands;
A bill (H. R. 9901) granting a pension to John M. Stoner;
A bill (H. R. 10029) granting a pension to Charles E. Arnett;
A bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa.;
A bill (H. R. 10284) granting a pension to Elizabeth Broomall;
A bill (H. R. 10285) granting an increase of pension to Henry McCreary;
A bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;
A bill (H. R. 10334) granting an increase of pension to John S. Allison;
A bill (H. R. 10511) for the relief of the estate of Mary Keating;
A bill (H. R. 10688) for the relief of Johann A. Killian;
A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser;
A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;
A bill (H. R. 11013) granting an increase of pension to William Flaig;
A bill (H. R. 11086) granting an increase of pension to Charles W. Crary;
A bill (H. R. 11262) granting a pension to John Hegarty;
A bill (H. R. 11335) granting an increase of pension to John Trader;
A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen;
A bill (H. R. 11337) for the relief of G. H. Dearen;
A bill (H. R. 11374) granting an increase of pension to William Wells;
A bill (H. R. 11397) granting an increase of pension to William Leonard;
A bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine;
A bill (H. R. 11827) granting an increase of pension to Daniel Smith;
A bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;
A bill (H. R. 12006) granting an increase of pension to Amelia Coster;
A bill (H. R. 12177) granting an increase of pension to Isaac W. Waters;
A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor;
A bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter;
A bill (H. R. 12348) granting an increase of pension to John Pickering;
A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;
A bill (H. R. 12402) granting a pension to Orson Burlingame;
A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River;
A bill (H. R. 12604) granting a pension to Edward M. Fowler;
A bill (H. R. 12629) granting a pension to Ida Diamond;
A bill (H. R. 12702) granting an increase of pension to Margaret C. Howarth;
A bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus;
A bill (H. R. 13000) granting an increase of pension to Robert Elliott;
A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton;
A bill (H. R. 13218) for the relief of Adolph Weinhold;
A bill (H. R. 13272) granting a pension to Delana A. Lynch;
A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh;
A bill (H. R. 13373) granting an increase of pension to William W. Dennis;
A bill (H. R. 13391) granting an increase of pension to Garret I. Post;
A bill (H. R. 13404) granting a pension to Emanuel Peck;
A bill (H. R. 13437) granting a pension to William P. Crawford;
A bill (H. R. 13490) granting an increase of pension to Henry Good;
A bill (H. R. 13586) granting an increase of pension to Abraham Harris;
A bill (H. R. 13605) granting a pension to Elizabeth E. Conatt;
A bill (H. R. 13636) granting a pension to George S. Noland;
A bill (H. R. 13690) granting an increase of pension to Cephas H. John;
A bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;
A bill (H. R. 13805) granting a pension to Emma W. Hays;
A bill (H. R. 13816) granting a pension to Annie Hynes;
A bill (H. R. 13886) granting an increase of pension to Thomas Maher;
A bill (H. R. 13911) granting an increase of pension to Calvin Hitt;
A bill (H. R. 14001) granting an increase of pension to Leslie C. Armour;
A bill (H. R. 14141) granting an increase of pension to King Kerley;
A bill (H. R. 14153) granting an increase of pension to Peter C. Wood;
A bill (H. R. 14201) granting an increase of pension to James W. Smith;
A bill (H. R. 14204) granting a pension to John B. Hobday;
A bill (H. R. 14308) granting an increase of pension to Archie C. Fisk;
A bill (H. R. 14336) granting an increase of pension to Everton J. Conger;
A bill (H. R. 14308) granting an increase of pension to William Neuberg;
A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes;
A bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west;
A bill (H. R. 14437) granting an increase of pension to Daniel White;
A bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount;
A bill (H. R. 14484) granting an increase of pension to Charles W. Lee;
A bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley;
A bill (H. R. 14524) granting a pension to Jennie A. Brown;
A bill (H. R. 14578) granting a pension to Edward Taylor;
A bill (H. R. 14611) granting a pension William L. Beverly;
A bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis;
A bill (H. R. 14631) granting a pension to William T. Spencer;
A bill (H. R. 14641) granting a pension Allan Dunning;
A bill (H. R. 14508) granting an increase of pension to John Brady;
A bill (H. R. 14511) granting an increase of pension to Robert R. Keys;
A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney;
A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips;
A bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell;
A bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood;
A bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson;
A bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill;
A bill (H. R. 14612) granting an increase of pension to Myron Imas;
A bill (H. R. 14636) granting an increase of pension to James R. Fletcher;
A bill (H. R. 14637) granting an increase of pension to William Kimbrough;
A bill (H. R. 14638) granting an increase of pension to Park Avory;
A bill (H. R. 14639) granting an increase of pension to Joseph J. Mead;
A bill (H. R. 14640) granting an increase of pension to Caroline McGimsey;
A bill (H. R. 14702) granting a pension to Mary E. Dunford;

A bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley;
A bill (H. R. 14801) granting a pension to John W. Shrader;
A bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley;
A bill (H. R. 14859) granting an increase of pension to Matthias Ridenour;
A bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder;
A bill (H. R. 14870) granting an increase of pension to William Hougendobler;
A bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.;
A bill (H. R. 14882) granting a pension to Mary Dingler;
A bill (H. R. 14884) granting an increase of pension to William Huffman;
A bill (H. R. 14890) granting an increase of pension to Allen R. Harris;
A bill (H. R. 14938) granting a pension to Francis Rogers;
A bill (H. R. 14992) granting an increase of pension to Phebe A. Daw;
A bill (H. R. 14894) granting an increase of pension to John Gideon;
A bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron;
A bill (H. R. 15126) granting an increase of pension to Joseph A. Cox;
A bill (H. R. 15148) granting an increase of pension to Armour W. Patterson;
A bill (H. R. 15183) granting a pension to Ella F. Kennealy;
A bill (H. R. 15204) granting an increase of pension to Mary Taggart;
A joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department; and
A joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers.

HOUSE BILL REFERRED.

The bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington, was read twice by its title, and referred to the Committee on Indian Affairs.

GOVERNMENT OF CANAL ZONE.

Mr. KITTREDGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows: Restore all of section 1 of the bill, proposed to be stricken out by said amendment, and in lieu of the matter proposed to be inserted by said amendment of the House insert the following:

"SEC. 2. That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the canal zone be sooner made by Congress, all the military, civil, and judicial powers as well as the power to make all rules and regulations necessary for the government of the canal zone, and all the rights, powers, and authority granted by the terms of said treaty to the United States shall be vested in such person or persons and shall be exercised in such manner as the President shall direct for the government of said zone and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion."

And the House agree to the same.

A. B. KITTREDGE,
A. J. HOPKINS,
Managers on the part of the Senate.
W. P. HEPBURN,
W. C. LOVERING,
W. C. ADAMSON,
Managers on the part of the House.

The report was agreed to.

FINAL ADJOURNMENT.

Mr. ALLISON. I ask unanimous consent for the present consideration of the concurrent resolution relating to final adjournment, just received from the House of Representatives.

The PRESIDENT pro tempore laid before the Senate the concurrent resolution from the House of Representatives; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock p. m.

EXPENDITURES OF THE GOVERNMENT.

Mr. GORMAN addressed the Senate. After having spoken a few moments——

Mr. HALE. I do not desire to take the floor from the Senator from Maryland, but will he yield to me for a moment?

Mr. GORMAN. Certainly.

Mr. HALE. We are now on Wednesday's session. This session, of course, should be terminated by a motion to adjourn. Undoubtedly the Senator from Maryland will be recognized when Thursday's session commences. I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Chair will state to the Senator from Maryland that he will immediately recognize him upon the convening of the Senate on its Thursday's session.

The question is on agreeing to the motion of the Senator from Maine that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 58 minutes a. m., Thursday, April 28, 1904) the Senate adjourned until 12 o'clock meridian, Thursday, April 28, 1904.

NOMINATIONS.

Executive nominations received by the Senate April 26, 1904.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Hermino Díaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904, vice Rosendo Martienzo Cintron.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, to succeed Fred P. Vincent, promoted.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

POSTMASTERS.

CALIFORNIA.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California, in place of Ollie McKellar. Incumbent's commission expires April 27, 1904.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado, in place of David James. Incumbent's commission expires May 4, 1904.

FLORIDA.

John F. Stunkel to be postmaster at Leesburg, in the county of Lake and State of Florida, in place of John F. Stunkel. Incumbent's commission expires May 28, 1904.

Thomas H. Alexander to be postmaster at White Springs, in the county of Hamilton and State of Florida. Office became Presidential July 1, 1903.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois, in place of John W. Campbell. Incumbent's commission expired January 25, 1904.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois, in place of William S. Rice. Incumbent's commission expires May 26, 1904.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois, in place of John R. Snook. Incumbent's commission expired April 12, 1904.

INDIANA.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana, in place of Coursen J. Stright. Incumbent's commission expired January 10, 1902.

Japhet F. Lehman to be postmaster at Berne, in the county of Adams and State of Indiana, in place of Japhet F. Lehman. Incumbent's commission expired January 23, 1904.

Henry F. Radcliff to be postmaster at Pierceton, in the county of Kosciusko and State of Indiana, in place of Henry F. Radcliff. Incumbent's commission expired April 12, 1904.

IOWA.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa. Office became Presidential April 1, 1904.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa, in place of Victor Nelson. Incumbent's commission expires May 22, 1904.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa, in place of Charles M. Junkin, resigned.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa, in place of James W. Miller. Incumbent's commission expired December 13, 1903.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas, in place of Jacob A. Constant. Incumbent's commission expires May 28, 1904.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana. Office became Presidential April 1, 1904.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts, in place of Orick H. Kelley. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota, in place of Edward L. Bjorkquist. Incumbent's commission expires June 5, 1904.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska, in place of William T. Ager, resigned.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska, in place of Ellis O. Lewis. Incumbent's commission expired February 23, 1903.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey, in place of George W. Pollitt. Incumbent's commission expires May 28, 1904.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York, in place of Clarence M. Alvord. Incumbent's commission expires May 4, 1904.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York, in place of John H. McGrath. Incumbent's commission expires May 4, 1904.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York, in place of Clarence A. Sprague. Incumbent's commission expires May 28, 1904.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York, in place of William Watson. Incumbent's commission expires May 28, 1904.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York, in place of Francis Worden. Incumbent's commission expires May 4, 1904.

OHIO.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont and State of Ohio, in place of Thomas G. Moore. Incumbent's commission expires May 4, 1904.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma, in place of John W. Rice. Incumbent's commission expires April 27, 1904.

PENNSYLVANIA.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania, in place of Daniel G. Engle. Incumbent's commission expired April 16, 1904.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania, in place of Frank G. Pennell, deceased.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania, in place of John H. Glasser. Incumbent's commission expires May 28, 1904.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania, in place of Henry F. Hershey. Incumbent's commission expired April 16, 1904.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania, in place of Anne D. Moore. Incumbent's commission expires May 28, 1904.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania. Office became Presidential January 1, 1904.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania, in place of James E. Rupert. Incumbent's commission expires April 27, 1904.

SOUTH CAROLINA.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina, in place of James W. Johnson. Incumbent's commission expires May 26, 1904.

TENNESSEE.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee. Office became Presidential April 1, 1904.

TEXAS.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas, in place of Anderson L. Davis. Incumbent's commission expired January 27, 1903.

WEST VIRGINIA.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia, in place of Sumner W. Thompson, resigned.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia. Office became Presidential April 1, 1904.

WISCONSIN.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin, in place of Iram Z. Merriam. Incumbent's commission expired February 19, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904, vice William H. Hunt, resigned.

PROMOTIONS IN THE NAVY.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

PROMOTIONS IN THE MARINE CORPS.

Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Lieut. Col. William F. Spicer, retired.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Maj. Thomas N. Wood, promoted.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Capt. Robert M. Dutton, promoted.

Second lieutenants in the United States Marine Corps to be first lieutenants.

Albert N. Brunzell.
Louis G. Miller.
Daniel W. B. Blake.
William E. Smith.
Raymond B. Sullivan.
Fred A. Udell.
Howard H. Kipp.
Harvey C. Egan.
Gerard M. Kincade.
Frederic Kensel.
Hugh McC. Howard.
Elias R. Beadle.
Arthur B. Owens.

Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law), vice First Lieut. John P. V. Gridley, deceased.

PROMOTIONS IN THE NAVY.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903 (subject to the examinations required by law), vice P. A. Paymaster Perry G. Kennard, promoted.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice Paymaster Samuel L. Heap, promoted.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice P. A. Paymaster Christian J. Peoples, promoted.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Director John B. Redfield, retired.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Inspector John R. Martin, promoted.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Paymaster James S. Phillips, promoted.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice P. A. Paymaster William B. Rogers, promoted.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Medical Inspector Manly H. Simons, promoted.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Surg. Phillips A. Lovering, promoted.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903 (subject to the examinations required by law), vice Surg. William R. Du Bose, promoted.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy (subject to the examinations required by law) from the 26th day of October, 1903, having completed three years' service in his present grade.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903 (subject to the examinations required by law), vice P. A. Surg. Joseph A. Guthrie, suspended.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904 (subject to the examinations required by law), vice Surg. Daniel H. Morgan, retired.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904 (subject to the examinations required by law), vice Surg. Will F. Arnold, retired.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law), vice Lieut. James G. Doyle, promoted.

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Commander Cameron McR. Winslow, promoted.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Harry A. Field, promoted.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), vice Lieut. Chester M. Knepper, promoted.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Alexander Sharp, promoted.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Walter S. Hughes, promoted.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Frank K. Hill, promoted.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Commander William H. Everett, promoted.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Lieut. Walter O. Hulme, promoted.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Commander John M. Hawley, promoted.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Lieut. Hilary P. Jones, jr., promoted.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904 (subject to the examinations required by law), vice Commander William E. Sewell, deceased.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904 (subject to the examinations required by law), vice Lieut. Henry K. Benham, deceased.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904 (subject to the examinations required by law), vice Lieut. William C. Davidson, deceased.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904, vice Capt. James K. Cogswell, an additional number in grade.

Ensigns to be lieutenants (junior grade) in the Navy.

John T. Beckner.
Herbert H. Evans.
Samuel I. M. Major.
Frank O. Branch.
Ralph E. Pope.
John E. Lewis.

Lieutenants in the Navy to be lieutenant-commanders.

Alexander S. Halstead.
James E. Palmer.
Harry A. Field.

TO BE ASSISTANT SURGEONS IN THE NAVY.

Lewis H. Wheeler, a citizen of Connecticut.
John Flint, a citizen of Massachusetts.
James L. Belknap, a citizen of Massachusetts.
Henry A. May, a citizen of Maryland

UNITED STATES MARSHAL.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico. A reappointment, his term expiring June 4, 1904.

APPOINTMENT IN THE ARMY.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law, on account of age.

UNITED STATES DISTRICT JUDGE.

Charles F. McKenna, of Pennsylvania, to be United States district judge for the district of Porto Rico, vice William H. Holt, whose term will expire June 4, 1904.

CAPTAIN ON ACTIVE LIST OF NAVY.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy, from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he

may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904, vice Hall, promoted.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904, vice McCain, promoted.

APPOINTMENT IN THE ARMY.

Military Secretary's Department.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904, vice Tweedale promoted.

PROMOTIONS IN THE ARMY.

Medical department.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904, vice Wilcox, retired from active service.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904, vice Havard, promoted.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904, vice Corbusier, promoted.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904, vice Miller, promoted.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904, vice Adams, promoted.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904, vice Livermore, promoted.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Maj. William T. Rossell, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904, vice Hoxie, promoted.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904, vice Marshall, promoted.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904, vice Willard, promoted.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law), vice Bixby, promoted.

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904, vice Fitch, promoted.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904, vice Gillette, promoted.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904, vice Stuart, promoted.

Second Lieut. Wildurr Willing, Corps of Engineers, April 23, 1904, vice Hoffman, promoted.

Executive nominations received by the Senate April 27, 1904.

CIRCUIT JUDGE.

Jeter C. Pritchard, of North Carolina, now serving as associate justice of the supreme court of the District of Columbia, to be United States circuit judge for the fourth judicial circuit, vice Charles H. Simonton, deceased.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Joseph Pettyjohn, of Georgia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Francis H. McKeon, of Connecticut, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Ernest A. Sweet, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Robert D. Spratt, of Alabama, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

ILLINOIS.

Harry Whitver to be postmaster at Walnut, in the county of Bureau and State of Illinois, in place of Watson D. Morlan, resigned.

MICHIGAN.

Arthur M. Hawkins to be postmaster at Clayton, in the county of Lenawee and State of Michigan, in place of Ralph Taylor. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Rowland Arundel to be postmaster at Staples, in the county of Todd and State of Minnesota, in place of Rowland Arundel. Incumbent's commission expires May 28, 1904.

PENNSYLVANIA.

Harry L. Cooper to be postmaster at Edinboro, in the county of Erie and State of Pennsylvania, in place of Harry L. Cooper. Incumbent's commission expired January 17, 1904.

Delos A. Wright to be postmaster at Union City, in the county of Erie and State of Pennsylvania, in place of Delos A. Wright. Incumbent's commission expires June 5, 1904.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the county of Washington and State of Rhode Island, in place of Walter Price. Incumbent's commission expires May 24, 1904.

TEXAS.

C. E. Dodge to be postmaster at Port Arthur, in the county of Jefferson and State of Texas, in place of Darwin H. Barnes. Incumbent's commission expired February 15, 1903.

WITHDRAWAL.

Executive nomination withdrawn April 26, 1904.

John E. Albright to be postmaster at Mount Airy, in the State of North Carolina.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904.

SOLICITOR OF DEPARTMENT OF COMMERCE AND LABOR.

William Miller Collier, of New York, to be solicitor of the Department of Commerce and Labor, under the provisions of the act approved March 18, 1904, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes."

UNITED STATES ATTORNEY.

Charles H. Brown, of New York, to be United States attorney for the western district of New York.

COLLECTORS OF CUSTOMS.

Isaiah J. McCottrie, of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

Hermino Diaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

MARSHALS.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico.

James M. Shoup, of Alaska, to be United States marshal for the district of Alaska, division No. 1.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Hermann Kotzschmar, jr., to be a chief engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Michael N. Usina to be a first assistant engineer with the rank of second lieutenant in the Revenue-Cutter Service of the United States.

PROMOTIONS IN THE ARMY.

ARTILLERY CORPS.

To be captains.

First Lieut. Elijah B. Martindale, jr., Artillery Corps, January 21, 1904.

First Lieut. John W. Kilbreth, jr., Artillery Corps, April 1, 1904.

First Lieut. Le Vert Coleman, Artillery Corps, April 7, 1904.

To be first lieutenants.

Second Lieut. Laurin L. Lawson, Artillery Corps, December 14, 1903.

Second Lieut. William K. Moore, Artillery Corps, January 2, 1904.

SUBSISTENCE DEPARTMENT.

Capt. Alexander M. Davis, commissary, to be commissary with the rank of major, March 17, 1904.

INFANTRY ARM.

First Lieut. William H. Jordan, jr., Eighteenth Infantry, to be captain, April 14, 1904.

First Lieut. Courtland Nixon, Second Infantry, to be captain, April 14, 1904.

MILITARY SECRETARY'S DEPARTMENT.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904.

MEDICAL DEPARTMENT.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904.

Maj. William T. Rossell, Corps of Engineers, April 23, 1904.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law).

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904.

Second Lieut. Wildurr Willing, Corps of Engineer, April 23, 1904.

APPOINTMENTS IN THE ARMY.

MILITARY SECRETARY'S DEPARTMENT.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law on account of age.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law).

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904:

John T. Beckner.
Herbert H. Evans.
Samuel I. M. Major.
Frank O. Branch.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy from the 26th day of October, 1903.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from 27th day of December, 1903.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904.

To be lieutenant-commanders from the 1st day of January, 1904 (subject to the examinations required by law), to fill vacancies created in that grade by the act of Congress approved March 3, 1903:

Alexander S. Halstead.
James E. Palmer.
Harry A. Field.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904.

Ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in their present grade:

Ralph E. Pope.
John E. Lewis.

To be assistant surgeons in the Navy from the 22d day of April, 1904, to fill vacancies existing in that grade on that date:

Lewis H. Wheeler, a citizen of Connecticut.

John Flint, a citizen of Massachusetts.

James L. Belknap, a citizen of Massachusetts.

Henry A. May, a citizen of Maryland.

Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904.

Second lieutenants in the United States Marine Corps to be first lieutenants in the Marine Corps from the 3d day of March, 1904 (subject to the examinations required by law), to fill vacancies existing in that grade on that date:

Albert N. Brunzell.
Louis G. Miller.
Daniel W. B. Blake.
William E. Smith.
Raymond B. Sullivan.
Fred A. Udell.
Howard H. Kipp.
Harvey C. Egan.
Gerard M. Kincade.
Frederic Kensel.
Hugh McC. Howard.
Elias R. Beadle.
Arthur B. Owens.
Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law).

Lieut. Henry E. Parmenter to be a lieutenant-commander in the Navy from the 12th day of March, 1904.

Lieut. Isaac K. Seymour to be a lieutenant-commander in the Navy from the 2d day of April, 1904.

Ensign Henry E. Lackey to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Lieut. (Junior Grade) William T. Tarrant to be a lieutenant in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) Walter B. Tardy to be a lieutenant in the Navy from the 2d day of April, 1904.

Asst. Surg. Samuel S. Rodman to be a passed assistant surgeon in the Navy from the 14th day of December, 1903, having completed three years' service in his present grade.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

POSTMASTERS.

ALABAMA.

Charley N. Thompson to be postmaster at Piedmont, in the county of Calhoun and State of Alabama.

ARKANSAS.

William Miller to be postmaster at Dermott, in the county of Chicot and State of Arkansas.

James E. Wickersham to be postmaster at Yellville, in the county of Marion and State of Arkansas.

F. W. Youmans to be postmaster at Lewisville, in the county of Lafayette and State of Arkansas.

CALIFORNIA.

C. H. Anson to be postmaster at Monrovia, in the county of Los Angeles and State of California.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California.

Franklin L. Glass to be postmaster at Martinez, in the county of Contra Costa and State of California.

John Lemasters to be postmaster at Kern, in the county of Kern and State of California.

Edwin Stanton to be postmaster at Avalon, in the county of Los Angeles and State of California.

Charles E. Tucker to be postmaster at Fortuna, in the county of Humboldt and State of California.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado.

GEORGIA.

Harry S. Edwards to be postmaster at Macon, in the county of Bibb, and State of Georgia.

IDAHO.

David E. Smithson to be postmaster at Emmett, in the county of Canyon and State of Idaho.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois.

John Murvin to be postmaster at Louisville, in the county of Clay and State of Illinois.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois.

Harry Whitver to be postmaster at Walnut, in the State of Illinois.

INDIANA.

George D. Abraham to be postmaster at Odon, in the county of Daviess and State of Indiana.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana.

Henry Wood to be postmaster at Loogootee, in the county of Martin and State of Indiana.

Samuel P. Yenne to be postmaster at Shoals, in the county of Martin and State of Indiana.

IOWA.

Ezra Bradford to be postmaster at Wellman, in the county of Washington and State of Iowa.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas.

W. H. Smith to be postmaster at Colby, in the county of Thomas and State of Kansas.

KENTUCKY.

Llewellyn F. Sinclair to be postmaster at Georgetown, in the county of Scott and State of Kentucky.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana.

Caroline G. Lyman to be postmaster at Franklin, in the parish of St. Mary and State of Louisiana.

MAINE.

George A. Herrick to be postmaster at Madison, in the county of Somerset and State of Maine.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts.

Frank E. Nichols to be postmaster at Warren, in the county of Worcester and State of Massachusetts.

Edwin Smith to be postmaster at Mittineague, in the county of Hampden and State of Massachusetts.

MICHIGAN.

Arthur H. Hawkins to be postmaster at Clayton, in the State of Michigan.

Henry S. Wickware to be postmaster at Cass City, in the county of Tuscola and State of Michigan.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota.

Charles H. Pierce to be postmaster at Northfield, in the county of Rice and State of Minnesota.

Francis M. Shook to be postmaster at Aitkin, in the county of Aitkin and State of Minnesota.

Rowland Arundel to be postmaster at Staples, in the State of Minnesota.

MISSISSIPPI.

Coke B. Wier to be postmaster at Quitman, in the county of Clarke and State of Mississippi.

MISSOURI.

Thomas M. Allen to be postmaster at Cassville, in the county of Cass and State of Missouri.

Henry Puls to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

James H. Overman to be postmaster at Stella, in the county of Richardson and State of Nebraska.

Zalmon Nicola to be postmaster at Collegeview, in the county of Lancaster and State of Nebraska.

Jessie W. Phillips to be postmaster at Table Rock, in the county of Pawnee and State of Nebraska.

Samuel H. Reesman to be postmaster at University Place, in the county of Lancaster and State of Nebraska.

Edward B. Richardson to be postmaster at Ulysses, in the county of Butler and State of Nebraska.

NEVADA.

Theodore R. Hofer, jr., to be postmaster at Carson City, in the county of Ormsby and State of Nevada.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

NEW MEXICO.

Frank A. Hill to be postmaster at Raton, in the county of Colfax and Territory of New Mexico.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York.

Edward A. Cowles to be postmaster at Patchogue, in the county of Suffolk and State of New York.

William L. Fuller to be postmaster at Ellenville, in the county of Ulster and State of New York.

John F. Heim to be postmaster at Lancaster, in the county of Erie and State of New York.

Myron H. Kinsley to be postmaster at Kenwood, in the county of Madison and State of New York.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York.

Anna V. T. Smith to be postmaster at Bronxville, in the county of Westchester and State of New York.

Oliver H. Tuthill to be postmaster at Rockville Center, in the county of Nassau and State of New York.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York.

OHIO.

Louis A. Koons to be postmaster at Massillon, in the county of Stark and State of Ohio.

James E. Melville to be postmaster at Sandusky, in the county of Erie and State of Ohio.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont, and State of Ohio.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma.

Thomas D. Craddock to be postmaster at Wellston, in the county of Lincoln and Territory of Oklahoma.

OREGON.

William H. Leitner to be postmaster at Huntington, in the county of Baker and State of Oregon.

PENNSYLVANIA.

Luther M. Alleman to be postmaster at Littlestown, in the county of Adams and State of Pennsylvania.

Harry L. Cooper to be postmaster at Edenboro, in the State of Pennsylvania.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania.

William H. Flora to be postmaster at Wrightsville, in the county of York and State of Pennsylvania.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania.

Granville F. Heathcote to be postmaster at Glen Rock, in the county of York and State of Pennsylvania.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania.

John W. Reese to be postmaster at Taylor, in the county of Lackawanna and State of Pennsylvania.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania.

Henry D. Ruth to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania.

Samuel A. Smith to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania.

Daniel Williams to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania.

Delos A. Wright to be postmaster at Union City, in the State of Pennsylvania.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the State of Rhode Island.

SOUTH CAROLINA.

Alonzo M. Folger to be postmaster at Easley, in the county of Pickens and State of South Carolina.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina.

SOUTH DAKOTA.

Joseph Kubler to be postmaster at Custer, in the county of Custer and State of South Dakota.

TENNESSEE.

Edwin C. Alexander to be postmaster at Elizabethton, in the county of Carter and State of Tennessee.

Gus Cate to be postmaster at Cleveland, in the county of Bradley and State of Tennessee.

George B. Henegar to be postmaster at McMinnville, in the county of Warren and State of Tennessee.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee.

TEXAS.

J. B. Campbell to be postmaster at Alvarado, in the county of Johnson and State of Texas.

James I. Carter to be postmaster at Arlington, in the county of Tarrant and State of Texas.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas.

C. E. Dodge to be postmaster at Port Arthur, in the State of Texas.

Owen Ford to be postmaster at San Marcos, in the county of Hays and State of Texas.

Charles C. Littleton to be postmaster at Weatherford, in the county of Parker and State of Texas.

Marion D. Townley to be postmaster at Valley Mills, in the county of Bosque and State of Texas.

WASHINGTON.

George W. France to be postmaster at Hoquiam, in the county of Chehalis and State of Washington.

John O. Wilson to be postmaster at Cosmopolis, in the county of Chehalis and State of Washington.

WEST VIRGINIA.

Albert G. Holt to be postmaster at Kenova, in the county of Wayne and State of West Virginia.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia.

WISCONSIN.

Henry J. Goddard to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin.

Murdick W. McAskill to be postmaster at Glidden, in the county of Ashland and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 27, 1904.*

[*Continuation of proceedings of legislative day of Tuesday, April 26.*]

The recess having expired, the House reassembled at 10 o'clock a. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery; and

H. R. 7264. An act to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The message also announced that the Senate had passed bills

of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5462. An act for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased;

S. 5504. An act to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904;

S. 4352. An act relative to fees and commissions on final entry or commutation of homestead entries; and

S. 4713. An act to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 14093. An act to incorporate the Carnegie Institute of Washington.

MILITARY ACADEMY BILL.

Mr. PARKER. Mr. Speaker, I ask unanimous consent that the House disagree to the amendments of the Senate to the bill (H. R. 13860) making appropriations for the Military Academy for the year ending June 30, 1905, and ask conference with the Senate.

The SPEAKER. Without objection, the Senate amendments to this bill will be disagreed to and a conference with the Senate requested. Is there objection?

There was no objection.

The SPEAKER announced the appointment of Mr. PARKER, Mr. MONDELL, and Mr. SULZER as conferees on the part of the House.

LEAVE OF ABSENCE.

Mr. CUSHMAN, by unanimous consent, obtained leave of absence for the remainder of the session, on account of important business.

BRIDGE ACROSS CONNECTICUT RIVER, MASSACHUSETTS.

The SPEAKER. The Chair lays before the House a Senate bill, a House bill similar thereto being now on the Calendar.

The Clerk read the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

Mr. LAWRENCE. Mr. Speaker, a House bill which has been favorably reported by the Committee on Interstate and Foreign Commerce is identical in terms with this Senate bill, or, rather, it will be after the adoption of a few verbal amendments to this bill. I move to amend the bill, as follows:

On page 3, in line 11, strike out "two" and insert "one."
On page 3, in line 12, strike out "six" and insert "three."

The amendments were agreed to.

Mr. LAWRENCE. This bill is now identical with the House bill.

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

On motion of Mr. LAWRENCE, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The gentleman understands that this bill, being now amended, will have to go back to the Senate.

Mr. LAWRENCE. Yes, sir; for concurrence in the amendments.

The SPEAKER. The gentleman does not desire at this time to ask for a conference?

Mr. LAWRENCE. No; the Senate will undoubtedly concur in the amendments.

The SPEAKER. Without objection, House bill No. ——, identical in its provisions with the present bill, will lie on the table.

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. CAPRON, by unanimous consent, obtained leave to withdraw from the files of the House papers in the case of James H. Rickard, no adverse report having been made thereon.

ORDER OF BUSINESS.

Mr. BABCOCK. I desire to call up for present consideration several conference reports now on the Speaker's table in relation to District bills.

JOINING OF KALORAMA AVENUE.

The first business was the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the joining of Kalorama avenue."

The statement of the House conferees, which, together with the report, will be found in the House proceedings of Tuesday, April 26, was read as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

WIDENING OF V STREET NW.

The next business was the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW."

The statement of the House conferees, which, with the report, will be found in the House proceedings of Monday, April 26, was read, as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

CONNECTING HIGHWAYS, ZOOLOGICAL PARK.

The next business was the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia.

The statement of the House conferees, which, together with the conference report, will be found in the House proceedings of Monday, April 26, was read, as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

TO CONNECT EUCLID PLACE WITH ERIE STREET.

The next business was the conference report on the bill (S. 2134) to connect Euclid place with Erie street.

The Clerk read the statement of the House conferees.

[For conference report and statement, see RECORD of April 26, 1904.]

The conference report was agreed to.

EXTENSION OF ALBEMARLE STREET.

The next business was the conference report on the bill (S. 3869) for the extension of Albemarle street.

The Clerk read the statement of the House conferees.

[For conference report and statement, see RECORD of April 26, 1904.]

The conference report was agreed to.

JAMES M. SHACKELFORD.

Mr. CURTIS. Mr. Speaker, at the request of the chairman of the Committee on Indian Affairs [Mr. SHERMAN], I ask unanimous consent for the present consideration of the bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to pay, from the funds in the Treasury belonging to the Choctaw Nation of Indians, two Choctaw warrants for $1,250 each, Nos. 12 and 19, dated, respectively, October 13, 1899, and December 16, 1899, and issued to James M. Shackelford, the owner, for legal services he rendered as the attorney of the Choctaw Nation.

The SPEAKER. Is there objection?

There was no objection.

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

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

SESSION CLERK TO COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. HILDEBRANT. Mr. Speaker, I desire to present a privileged report from the Committee on Accounts.

The Clerk read as follows:

Resolved, That so much of House resolution adopted December 17, 1903, as authorized the appointment of a clerk to the Committee on Private Land Claims at a compensation of $6 per day, to be paid from the contingent fund of the House, shall remain in force until the close of the present fiscal year.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MADDOX. Mr. Speaker, I should like to inquire what the action of the House was upon which this is based?

Mr. HILDEBRANT. What is the gentleman's inquiry?

Mr. MADDOX. What does this mean? In other words, you refer to an act of the last Congress. What is that act?

Mr. HILDEBRANT. Mr. Speaker, I ask that the report of the committee be read.

The SPEAKER. The Clerk will read the report of the committee.

The Clerk read as follows:

The Committee on Accounts begs leave to state that, at the beginning of the present session of Congress, the usual resolution was reported by the Committee on Accounts and adopted by the House, assigning to certain committees the session clerks allowed by law. Provision is made in the legislative, executive, and judicial appropriation bill for the present fiscal year for

the payment of these clerks until the close of the fiscal year. For a long time it has been customary to assign one of these session clerks to the Committee on Private Land Claims, but when the assignments were made early in the present session of Congress the Committee on Private Land Claims was omitted. Subsequently it was decided to give the Committee on Private Land Claims a clerk, to which it had long been entitled, but it was then too late to make provision for same in the legislative, executive, and judicial appropriation bill for the next fiscal year, so a resolution was passed giving to that committee a clerk for the session only. The accompanying resolution places said clerk on an equal footing with the other session clerks who are provided for by law, which we think is only just and fair, and we therefore recommend its adoption.

Mr. MADDOX. Mr. Speaker, is this a clerk for the Committee on Private Land Claims?

Mr. HILDEBRANT. Yes; it is to put the clerk of the Private Land Claims Committee on an equal footing with the session clerks of the other thirteen committees that were assigned here some two or three months ago.

Mr. MADDOX. Can you tell me how many employees we have in the service of the House now?

Mr. HILDEBRANT. I do not know. I have never made a computation to determine.

Mr. MADDOX. How many bills are there before the Private Land Claims Committee?

Mr. HILDEBRANT. I can not tell that, either.

Mr. MADDOX. What is this clerk expected to do from now until the next session?

Mr. HILDEBRANT. He is expected to perform the work of the clerk of the Committee on Private Land Claims, and he has been one of the clerks assigned to the thirteen different committees of the House heretofore, but because of some misunderstanding in the Committee on Accounts he was eliminated from that list. We are now endeavoring to put him on the same footing and the same basis with the other session clerks.

Mr. MADDOX. Does the gentleman say that this clerk is really needed for the interests of the committee?

Mr. HILDEBRANT. I believe so. The chairman of the committee tells me so. I take the gentleman's word for it.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Georgia?

Mr. HILDEBRANT. I do.

Mr. BARTLETT. Mr. Speaker, this matter is very easily explained, and it is not what my colleague [Mr. MADDOX] thinks it is.

Mr. MADDOX. I have not expressed any opinion about it, Mr. Speaker.

Mr. BARTLETT. I know that.

Mr. MADDOX. I am just simply trying to find out something about it.

Mr. BARTLETT. Then I will tell you. I think I can explain the matter to my colleague so that there will be no serious objection to it.

Early in February the Committee on Accounts, as we are accustomed to do, assigned to the various commit ees the session clerks. By some oversight it so happened that the Committee on Private Land Claims did not have any session clerk assigned to it, as had been the custom to do for many Congresses prior to this.

A subsequent resolution was introduced, by which a clerk was assigned to that committee for the session. That resolution was passed after the legislative, executive, and judicial appropriation bill, which carried the pay for all the session clerks, had been passed by the House. Under a rule of the disbursing officer of this House, and under the terms of the law, which is upheld by the Auditor of the Treasury, all session clerks are entitled to draw pay until the end of this fiscal year, the 30th of June; so that all the session clerks of all the committees except this one will draw pay under that construction of the law made by the disbursing officer and upheld by the Auditor of the Treasury, until the 30th of June, 1904. This one will not draw, because he is not provided for in the legislative, executive, and judicial appropriation bill. This resolution simply proposes to cure that, and put this clerk upon the same footing as all other session clerks are, which seemed to us to be eminently fair to that clerk. So far as the assignment of a clerk to the Committee on Private Land Claims is concerned, that matter has long since been disposed of favorably by the House. By the passage of a resolution by the House some time early in March this committee was assigned a clerk. This resolution does not propose to give a clerk to the committee. It simply proposes to permit payment to this clerk, just like all other session clerks are paid. That is this resolution.

Mr. MADDOX. Will the gentleman yield to me, so that I may ask my colleague a question?

Mr. BARTLETT. I yield to the gentleman.

Mr. MADDOX. How many clerks or employees have we now in the House?

Mr. BARTLETT. I can not tell the gentleman from memory. The roll is accessible, and I will obtain it for him. However, I may say that there are thirty-three committees that have clerks.

Mr. MADDOX. I wanted to find out how many session and how many annual clerks there were on the roll.

Mr. BARTLETT. I think there are some thirty-three or thirty-five committees that have annual clerks and thirteen that have session clerks. This will make the fourteenth session clerk.

Mr. MADDOX. Is this an annual clerk?

Mr. BARTLETT. No; he is a session clerk.

Mr. MADDOX. Only a session clerk.

Mr. BARTLETT. And this clerk was assigned in February, and his pay ends on the 30th of June.

Mr. STEPHENS of Texas. Will the gentleman yield to me for a question?

Mr. BARTLETT. Certainly.

Mr. STEPHENS of Texas. I have the honor to belong to one of those appropriation committees that never meet—Expenditures of the Department of Justice.

Mr. BARTLETT. You mean the Committee on Expenditures of the Department of Justice.

Mr. STEPHENS of Texas. I know so little about the committee that I do not even know its name. We have never had a committee meeting, and yet I have been told by a gentleman that he was the clerk of that committee, and I would like to know whether we have a clerk to that committee.

Mr. GILBERT. Mr. Speaker, I object to this resolution.

The SPEAKER. It is not subject to objection. It is a privileged resolution.

Mr. GILBERT. I thought we were proceeding under unanimous consent.

The SPEAKER. We are not.

Mr. BARTLETT. I want to answer my friend from Texas. The gentleman stated that he had been told by a gentleman that he was the clerk of that committee. The Committee on Accounts have not provided it with a clerk. Doubtless the chairman of the committee has his own private secretary, who acts as clerk to the committee, and that is the clerk the gentleman doubtless has referred to. The gentleman who told my friend from Texas he was a clerk was the private secretary of the chairman. Now, as this is near the end of the session, if I may be permitted to say to the House and to my friends on this side, in the Committee on Accounts we have endeavored—I refer not only to the minority, but to the majority members as well—to comply with what we understood to be the wishes of the Speaker and the House, to be as economical as possible in the expenditures out of the contingent fund.

We may have varied from that a little; but whenever we have done so we have done that in the interest of the comfort and with a view of aiding the Members of the House in the disposition of public business and the business of their constituents. [Applause.] So far as I am concerned, I have no apologies to make for it. Whenever it has been properly submitted to the committee that the public business of the House and the business which Members have been sent here to transact, the business of their constituents, could be expedited by a proper expenditure from the contingent fund, they have been indorsed and upheld by the committee. I think there has not been a case when either the majority or minority members have acted otherwise than with that view and purpose. [Loud applause.]

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

ASSISTANT FOREMAN IN FOLDING ROOM.

Mr. HILDEBRANT. I submit the following resolution.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House is hereby authorized and directed to appoint George E. Printy as successor to the person named in the resolution adopted by the House February 6, 1900, as assistant foreman in the folding room, pursuant to the act approved February 25, 1903.

The resolution was agreed to.

JANITOR TO THE COMMITTEE ON INDUSTRIAL ARTS AND EXPOSITIONS.

Mr. HILDEBRANT. Mr. Speaker, I submit the following resolution.

The Clerk read as follows:

Resolved, That the provisions of the resolution of the House adopted February 26, 1904, authorizing the employment of a janitor by the Committee on Industrial Arts and Expositions be, and the same is hereby, made to become effective from the date of the appointment by said committee.

The amendment recommended by the committee was read, as follows:

In line 2 strike out the word "February" and insert the word "January."

The amendment was agreed to.

The resolution as amended was agreed to.

CARNEGIE INSTITUTION OF WASHINGTON.

The SPEAKER laid before the House the bill (H. R. 14093) to incorporate the Carnegie Institution of Washington, with Senate amendment, which was read.

Mr. BABCOCK. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

REGULATION OF PUBLIC LANDS RELEASED AND EXCLUDED FROM PUBLIC FOREST RESERVATIONS.

Mr. LACEY. Mr. Speaker, before offering the bill (H. R. 13633), I would like just a word of explanation. I called this bill up two or three days ago, and it was objected to by the gentleman from Texas [Mr. STEPHENS]. He suggests an amendment to the bill, which is entirely satisfactory, and I ask again unanimous consent for its present consideration. I would like to say that this bill has been prepared by the land commission consisting of Governor Richards, Mr. Pinchot, and Mr. Newell, and it relates to the publishing of notice when land which has been withdrawn from entry for forest purposes and shall again be restored to such entry, requiring that there shall be sixty days' notice before it can be located on in any way except by homesteaders. It gives homesteaders that much of preference. Mr. Speaker, I now ask unanimous consent for the present consideration of the bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

Mr. STEPHENS of Texas. Mr. Speaker, reserving the right to object and also to offer an amendment, I desire to explain the conditions of the bill.

The SPEAKER. This bill has been once read to the House, and without objection the reading of the bill will be dispensed with. The Chair hears no objection.

Mr. STEPHENS of Texas. Mr. Speaker, I would like unanimous consent to offer an amendment, to have it read, and explain the amendment.

The SPEAKER. Is there objection to the consideration of the bill? [A pause.] The Chair hears no objection.

Mr. LACEY. Mr. Speaker, now I yield to the gentleman from Texas to offer an amendment.

The SPEAKER. The Clerk will read the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amend by adding at the end of the bill the following:

"*Provided, however*, That said ninety days' limitation shall not apply to selections made by homestead settlers who have not transferred or assigned their right of selection."

Mr. STEPHENS of Texas. Mr. Speaker, the object of this amendment, I will state, is to protect parties who have surrendered to the Government their homesteads upon a permanent timber reserve. Under the act of 1891 the President of the United States had the right to withdraw lands from the public domain and lock them up in permanent forest reserves, and settlers living on the lands when the reserve was created have the right to exchange them for lands outside of the reserve. The Secretary of the Interior, by Executive-made law, has locked up in temporary timber reserves 40,000,000 acres of land, situated in different portions of the United States. The settlers, who have, by the act creating permanent forest reserves, the right to exchange their land for other public lands, are prevented from going on these temporary reserves for the purpose of taking their lieu lands. Now, this bill provides that homestead settlers shall have the right to go upon temporary reserves and locate the same amount of land that they yielded up to the United States on the permanent reserves.

Without the amendment I have offered I should have objected to this bill, but with the amendment we protect the men who have surrendered to the United States their land with the legal right to select and acquire other lands on any portion of the public domain. We would have been violating a plain contract with these settlers had this amendment not gone on this bill. These men surrendered their land for the purpose of getting other public lands of the United States in lieu thereof, and it would be unjust by an Executive order to withdraw portions of the public lands from settlement and thus violate at least a plain, implied contract with these homestead settlers.

Mr. Speaker, my objections to the temporary forest reserves are many, and the map showing the large area of the reserves applies the principles involved as illustrated by the map of California and with equal force to similar conditions in other States and Territories. Much public feeling and bitter hostility toward the Secretary of the Interior and this Administration, and even severe criticism of the Forest Reserve Bureau, has been caused of late by the fact that immense areas of land were included in the late temporary reserves without any prior examination as to the status of the title of the lands therein. In California they embrace many townships where the greater part of the public lands have already been disposed of, and they embrace most of the lands of the Central Pacific and the Oregon and California railroads. They are blanket reserves in districts where nearly all of the lands have been disposed of. The President is authorized by the act of 1891 to create forest reserves, and over 60,000,000 acres of land are now so reserved. This provision is considered sufficient protection for the remaining timber.

Whenever reserves can be formed without taking from settlement, cultivation, and use lands that are more valuable for settlement than for forest reserves, and where such lands have not already been largely entered, it is generally conceded to be a necessary and desirable movement on the part of the Government. But the creation of the temporary reserves is a great evil. The various counties having forest in their borders fear that large tracts will be withdrawn from taxation, and that bankruptcy will stare them in the face.

Large sums of money have been spent by many counties to attract settlers; but these reserves will drive away and prohibit settlement.

Many settlers, foreseeing this weakening of the counties' finances, are withdrawing and going elsewhere; and merchants fear for their outstanding lines of credit and for the capital they have invested. Hotel keepers and all others dealing in the counties are involved in these losses, instead of the landowner alone. The act is radical and destructive to scores of interests.

Mr. Speaker, any radical reform, such as the forest-reserve policy, causes hardships to individuals even when carefully handled, and the Government should therefore avoid irritating people unnecessarily, for the success of the project depends ultimately upon the cooperation of the whole nation. The landowners are not in favor of reserves even if their right of exchange is preserved. The number who accept the proposition to surrender their holdings is small. Out of 62,000,000 acres of reserves only about 1,260,000 have been selected. Deduct from this amount the selections made by the railroads and by the State school lands, and the remainder or private lands is very small.

Some of the reasons for this small selection by private owners are as follows: Few landowners know where to look for lands that are open, especially lands of equal value to those they now own. They prefer to live where they are. Old age, infirmity, and lack of means prevent them from hunting up other lands. They prefer to live on a ranch than to have the money, and will not therefore sell to speculators. They will remain until they can improve their situation by an exchange. Even the certainty of getting something just as good is no inducement at all to break up home and begin again. The settler, sawmill man, speculator, or other investor always leave well enough alone until something better appears, and each of these classes will hold what he has unless an advantage is shown him to induce him to exchange.

Mr. Speaker, under the present conditions many homestead settlers are afraid to attempt to exchange their lands. Under the present wholesale suspensions they fear that they can not make an exchange without having the papers held up indefinitely, or, under the general cry of fraud, that they may become involved in delays, annoyances, and suspicions of every kind.

The rumor has spread that the Secretary of the Interior proposes to leave the temporary forest reserves intact until he can secure the repeal of the forest-lieu law. Suspense will breed still further rumors injurious alike to the Administration, to the Forest Reserve Bureau, and to the public. Other rumors are that they will be juggled out of their ownership and out of their rights.

This suspense should be removed as soon as possible, so that they may know what lands are to be reserved and what restored to the public domain.

The rumor is that the Government expects to bulldoze the owners in these new reserves out of their holdings by offering them scrip for what they own and then make it impossible for them to use it.

It is said also that it was part of the plan in making these temporary reserves to scare the people so as to stop the sale of scrip.

It is claimed that speculators are trying to have these reserves made permanent, so as to secure vast quantities of scrip.

If the Commissioner would examine the United States Land Office records and reserve only those tracts which are partially selected, or where only a portion of the lands have been disposed of, there would be no opposition.

Where the people are in suspense and know not what to expect or just what to fear, they are apt to be "forninst the Government." Where townships are released, the people there will have no interest against the repeal or other legislation.

Wherever there is dissatisfaction, there all enemies of permanent reserves find a hotbed ready for the planting of seed of dissatisfaction against the administration of the forestry laws. The landowners and laboring people claim that these temporary reserves were made in the interest of scrip men and speculators, and I believe that they are right in their contention.

Prompt restoration where the greater part of the lands have already been disposed of or are in the railroad grants will do

much to allay the present strained conditions, and all temporary reservations should be promptly abandoned and the land restored to the public domain.

Mr. Speaker, I offer the amendment to the bill now under consideration on behalf of numerous persons interested in the subject, and I desire to call your attention to this legislation affecting, as it does, the land laws of our country.

Mr. Speaker, I insist that homestead settlers under the act of June 4, 1897, have existing vested rights, and in the interest of justice and for the better and more certain protection of these vested rights, and to the end that doubts and litigation may be averted, and for the sake of public repose, any legislation on the subject of forest reserves should embody a clear, positive, and explicit saving of rights acquired. The right of selection is given in exchange for a complete and indefeasible claim and is founded upon a vested legal title. The provision of the statute of June 4, 1897, under which persons have surrendered land to the Government, is as follows:

That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unprotected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

It will be observed that this statute invites the owners or claimants of land included within reservations to convey them to the United States, assuring to every such owner or claimant an equal area of public land to be selected by himself. The purposes of this act and the reasons dictating the policy therein embodied are sufficiently obvious. The Government desired to obtain as much as possible of the area included by the boundaries of the reservations. The proposal held out by the statute was in the interest of the public, and the pledge of equivalent indemnity, to be selected from lands of the United States, was offered as an inducement by which private owners might be moved to surrender their property to the Government for the benefit of the Government.

There are individuals who have responded to this invitation of the United States and have conveyed their lands to the Government in reliance upon the statutory pledge of equivalent area. They have not yet made their selections of public land in satisfaction of their claims to indemnity. No legislation amendatory of the act of 1897 should abridge their right of selection or embarrass or burden the exercise of that right under the statute.

Rights acquired under the existing law should not be prejudiced by any change of policy. Any amendatory measure should make just provisions for persons who have heretofore surrendered their property to the United States and acquired the privilege of claiming an equal area of public land under the laws now in force.

It is and has been no part of the statutory scheme to require that the surrender of the claimant's land and his selection of equivalent public land should be done at the same time. By his conveyance of land within a reservation to the United States the owner acquired a right to select another tract, but it is not, under the act, necessary that this right should be exercised at once or within any limited period. Nor would any useful purpose be subserved by requiring an immediate selection or by limiting the time for selection. These people have undoubtedly been within their rights in forbearing to claim the indemnity to which they are entitled by reason of their conveyance to the Government, and there is no reason why they should be prejudiced by their delay.

No alteration should be made in the law by which the right of selection by those who have previously surrendered their lands shall be limited or made more burdensome. If novel restrictions, imposed at this time, should be made to apply to cases in which the right to select has been heretofore acquired, the effect would be to lay a penalty upon every man who has delayed to exercise his right of selection. As the law existing at the date of surrender did not require or suggest expedition in the matter of selection, and as the public interest would not be advanced by hastening selections, there is no reason why delay in selecting should be visited by any penalties.

It would be obviously unjust by amendatory provisions enacted after lands were surrendered to restrict or embarrass the right of selection. Such a provision would present all the odious features which characterize most retroactive laws and make that kind of legislation so universally disapproved.

The act of 1897 embodies a proposed contract between the United States on the one part and the owner of reservation land on the other. In consideration of the conveyance of the individual's land to the Government, the Government agrees to permit the selection of an equivalent area upon defined terms. These certain defined terms, as fixed in the act of 1897, are very liberal, and no doubt were designedly made so in order to afford the stronger inducement to surrenders. The conveyances heretofore made have been moved by the liberality of the statute in the matter of the selections, and to limit the right of selections as held out in the statute would be an exercise of bad faith toward those who have been induced by the statutory proffer to accept the proposal of the Government.

The wide and unburdened right of selection was the consideration for the contract on the part of the United States, and now that the consideration on the part of the individual has been performed by him the United States can not justly recede from or diminish its own proffer. As to the individual it is an executed contract, and it is not competent for the other party to vary the consideration.

The surrenders made under existing laws have been made in reliance upon the broad right of indemnity guaranteed by the act of 1897, and the individuals have acquired the right of selection by that act.

A statute passed now and limiting the freedom of the individual's choice would be simply a repudiation of the contract entered into by the Government and performed by the individual.

The execution by the individual of the contract on his part confers upon him a vested right, the right to insist upon the performance on the part of the Government according to the terms of the original contract and not according to such terms as may afterwards at the pleasure of the other party be modified.

As a matter of morality such a case is clear beyond doubt. As a matter of law between private parties the rule is equally clear. A party can not recede from it or vary his offer after that offer has been accepted by the other party and the conditions performed.

The rule is well settled that when land is made by statute subject to entry, and an individual has complied with all the statutory requirements so as to enable himself to make such entry, a repeal of the statute will not defeat the right of such an individual to claim the land. (Frisbie *v.* Whitney, 9 Wall., 187; Shepley *v.* Cowen, 91 U. S., 338; Campbell *v.* Wade, 132 U. S., 34; Yosemite Valley Case, 15 Wall., 77; Bridge Co. *v.* R. R. Co., 92 U. S., 515.)

A similar rule is applied to cases where contracts are made and executed under a statute which is afterwards repealed. (Steamship Co. *v.* Joliffe, 2 Wall., 450; Steamship Co. *v.* United States., 102 U. S., 721.)

Individuals have conveyed their property to the United States upon a statutory pledge of other lands to be selected upon conditions defined in the same statute. These conveyances can not now be recalled by the grantors, and no condition of law exists whereby the lands can be reconveyed to those grantors. The Government holds this property inalienable and would not give it back even if it were considered desirable to do so. If, now, the grantors are not to be permitted to make their indemnity selections upon the terms laid down in the original statute, they are tricked and deceived without remedy.

Should the act of 1897 be repealed without provision for the exercise of rights of selection acquired while the statute was in force, then the Government has obtained valuable property without consideration and in violation of its solemn promise of equivalent.

If the right of selection is burdened by novel conditions and hampered by restrictions additional to those prescribed by the law in force when the surrenders were made, then there is a repudiation pro tanto of the obligations assumed in the first place by the Government, and the grantors under the statute are forced to accept something else than the consideration which has induced their surrenders. In either event there is an impairment of vested rights which violates both moral principles and constitutional law.

It is highly probable that these rights acquired under the law can be enforced, even should Congress fail to make express saving of them in its legislation on the subject. It is scarcely conceivable that the courts should countenance an implied or even an expressed repudiation by Congress of such obligations.

It is most desirable that any new statute enacted at the present time should make clear provisions for the protection of the rights heretofore acquired.

The best legislation is that which not only creates no doubts, but leaves no room for doubts.

In dealing with the substantial and valuable rights such as this selection under existing law nothing should be left in construction or argument which can be safely guarded by express provision.

On general and obvious principles it is better that any legislation upon any subject should be, so far as possible, complete in itself, dealing expressly with all phases of the subject and leaving as little as possible to be suplied by inference, analogy, or intendment, especially where an omission may give rise to litigation, controversy, or even doubt.

There is the possibility that some of the officials charged with the administration of the land laws may be troubled by doubts as to the status of claims acquired under existing laws. The silence

of Congress in the enactment of repealing or amendatory legislation might be regarded as at least ambiguous, and would certainly impose upon the executive officers a responsibility of deciding which may well be avoided. It is even possible that the omission of a new statute to provide for rights under the old might give rise to a difference of opinion, and that one or more erroneous decisions might be made by officers who deal with such rights in the first instance. Under such circumstances there may be made necessary arguments, appeals, and even litigation accompanied by delay, expense, and vexation. The possibility of such untoward results seems sufficient reason for suggesting that Congress should present them by a positive and explicit declaration which shall put rights acquired under the present laws beyond question. In dealing with the substantial and valuable rights such as this selection under existing law nothing should be left in construction or argument which can be safeguarded by express provision.

Mr. Speaker, it was obvious from the first that one of the greatest difficulties—indeed, the capital difficulty—in the scheme of forest preservation lay in the fact that many tracts of timber land had been sold by the United States and that any reservation of any extent, such as was needed for the success of the plan, would include within its outer boundaries more or less of such tracts which were in private ownership.

Scarcely any large body of land could be found which had not already attracted the attention of lumbermen with their mills, and capitalists seeking speculative investments, and every wooded region of the area and character required for the purposes of the forest-preservation policy had been invaded by individuals who had made entry of more or fewer tracts and reduced them to private ownership and dominion. Where such tracts had been patented, and even where only inchoate rights had attached to them, the Government could not, of course, declare them in reservation.

The owners of patches of land interspersed through the forest had rights impossible to be ignored, limited, or even practically regulated. They must have access to their land, the unrestricted use of it for any purpose, reasonable or unreasonable, and no supervision or surveillance could possibly be exercised over them.

This meant that the reserved forest must be intersected by roads open to the public, that the private lands might be visited by any persons acceptable to the proprietors, and that any lawful occupation might properly be carried on in the heart of the public property, and also any unlawful enterprise made possible.

The existence of isolated parcels of ground within a reservation but owned by individuals, scattered at intervals over the reserved area, means constant trouble, friction, and damage, and would threaten the defeat of the purposes for which the reservation was designed. Spots of land surrounded by forest and remote from the body of population would afford refuge to lawless individuals and shelter for the meditation and execution of criminal enterprises.

The controlling purpose of the statute is to rid the reserved areas completely of all private holdings, without distinction as to class of persons or lands, and the integrity, the unbroken continuity, of the reserved area is essential to the success of the reservation policy.

The forest lieu is right in principle. The Government has no right to destroy the people's holdings by creating forest reserves and not giving compensation. The cheapest thing the Government can do is to give the people an equal quantity of land. If this is not done, there will be a public demand that the private lands be appraised and the Government pay therefor.

A proposition is made by the Government to the owner of the land inside the forest, by which, for the sake of reclaiming the forest tract, the Government offers the owner an equal area of public land, to be selected by the owner.

This law betrays no neglect of the most important need of the Government, and any amendments calculated to limit the benefits of the selection scheme would impair the completeness of the statute and derogate from its value to the public.

The simplicity of the scheme is perhaps the least of its advantages. The Government acquires land of which it stands in peculiar need, and it expends not a cent of money. It rids its forest of settlers who would at best be an annoyance and who might be effectively hostile to its policy and possibly transgressors of the law. It removes the settler from the forest, where he would be isolated, and plants him where he can be a useful member of the community. It accomplishes every purpose and meets every exigency of the forest policy, and the price paid is simply a tract of land which the United States offers gratis to every settler, or at most can sell for $2.50 an acre. The cheapest thing the Government can give the people is an equal quantity of land. If this is not done there will be a public demand that the private lands be appraised and the Government pay therefor. To eliminate private holdings by condemnation or purchase would be effective, but would involve delay, litigation, and an expense impossible to compute, but certainly enormous.

It is at least curious to note in this connection that all the bills introduced in the Fifty-eighth Congress for creating forest reserves in the East contain provisions for paying money for the lands, while restrictions and limitations are placed upon the right of even exchanging acre for acre by the people of the West.

Mr. Speaker, rights acquired under the existing law should not be prejudiced by any change of policy. Any amendatory measures should make just provisions for persons who have heretofore, surrendering their property to the United States, acquired the privilege of claiming an equal area of public land under the law now in force. The present law is the only one that gives the poor man a chance to buy timber lands. If the law is repealed and the disposal of timber lands is left to some Government Department, how can such lands be developed?

It will be observed that this statute invites the owners or claimants of land included within reservations to convey them to the United States, assures to every such owner or claimant an equal area of public land to be selected by himself. The purposes of this act and the reasons dictating the policy therein embodied are sufficiently obvious. The Government desired to obtain as much as possible of the area included by the boundaries of the reservations. The proposal held out by the statute was in the interest of the public, and the pledge of equivalent indemnity, to be selected from lands of the United States, was offered as an inducement by which private owners might be moved to surrender their property to the Government for the benefit of the Government.

Mr. Speaker, the experience of nearly ten years has proven so successful and so beneficial to the permanent forestry interest that this policy is more than ever acceptable to the people, and no backward step in this matter can meet with my approval. I therefore hope that my amendment to the bill under consideration will be adopted by this House. But, Mr. Speaker, I am unalterably opposed to the present temporary forest-reserve Executive-made laws, and I am alarmed, yea, amazed, at the tendency of the present Administration in setting aside and ignoring Congress and legislating by Executive orders. Congress alone, in my judgment, should dispose of the public domain, and, indeed, is the only power that can legally do so; yet at this moment 40,000,000 acres of public domain is withheld from settlement by Executive orders.

Again, Mr. Speaker, another Executive order has legislated into existence a service-pension law, and thus added to the public burden untold millions of dollars. Mr. Speaker, I could enumerate many other Executive orders that infringe upon the powers of Congress; but I will only notice one more, and that is a plain, open violation of law, and that is the action of the Secretary of the Interior in not placing in the Treasury of the United States the money arising from the sale of the town lots in the towns of Hobart, Anadarko, and Lawton, in Oklahoma. More than $700,000 of this money has never been accounted for by him in a legal manner.

Although he has had the money in his hands more than three years, and although the law requires him to account to the Treasurer of the United States for it, yet, up to date he has not done so and is now proposing to expend this money in his own time and way and in utter disregard of law or of the rights of the towns in Oklahoma to which it belongs. Mr. Speaker, I desire, in the name of the people whom I represent on this floor, to register my protest against the alarming encroachments made by the executive branch of this Government on the powers granted by the Constitution to Congress, making it the only lawmaking body. Mr. Speaker, I desire to add as part of my remarks an editorial in the Washington Post, dated April 27, 1904:

"POSTPONED UNTIL AFTER ELECTION."

A number of Republican organs of varying caliber are pointing with pride, that must be affected, to the work that will have been accomplished by the Fifty-eighth Congress at the end of its first regular session. If to have refrained from doing irreparable mischief be worthy of glorification, the laudation of those organs is in order. If to have put off to the more convenient season, that will probably never come, most of the business that belonged to this session be commendable, let the organs go on piping their praise. It can not justly be said that the Fifty-eighth Congress has done many things that it ought not to have done, but it has assuredly left undone much work that it ought to have done. And the pendency of a national election is the only excuse vouchsafed.

If this Congress at this session was under any obligation to the country to do anything at all beyond passing appropriation bills to keep the machinery of government in operation for the next fiscal year, it was bound to mature and enact legislation for the reform of our wretched hodgepodge of currency laws. Postponement of that duty had been carried far beyond the safety limit, and equally beyond excuse, long before this Congress met. That is the opinion of the ablest financiers, irrespective of party. That was the opinion expressed by the chairman of the Senate Finance Committee before the end of the Fifty-seventh Congress.

This Congress came in pledged to tariff revision. The session will close with that duty untouched. It is a clear violation of good faith, a surrender to the standpatters in the interest of the few against the many. There can be no tariff legislation at the next session, for no time will be available for that purpose. Should the Democrats get control of the next House as a result of the pending canvass, when will tariff revision be possible?

Besides those two great subjects, on which legislative action was due and expected from this session, there are many other matters of moment laid over "till after the election." That phrase records the situation of the ship-subsidy bill, statehood, rivers and harbors, immigration, the Smoot case, impeachment of Swayne, labor bills, land leases, and other propositions—all put off for political reasons, all evaded, not for lack of time, but for want of courage.

If this sort of thing goes on—if it becomes, as bids fair to be the case, the unwritten law to postpone all but unavoidable legislation "until after election"—what will be the result? That question is worth considering. Under our Constitution and statutes every House of Representatives is on the eve of an election when the first session of a new Congress convenes. At that time the Representatives have been elected from thirteen to eighteen months, and the next election is staring them in the face. They have even more reason for timidity in the years between than in the Presidential years. Suppose timidity should continue to grow until "after the election" became the only time for Congress to do business, what would the country do?

We can see but one ray of hope. Executive legislation looms up as the last resort; either that or chaos.

I desire, Mr. Speaker, to extend my remarks in the RECORD on this question.

The SPEAKER. Without objection, consent is granted. [A pause.] The Chair hears none.

The amendment was agreed to.

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

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LACEY. Mr. Speaker, I ask leave in this connection to extend remarks in the RECORD upon land laws relating to this subject.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 7718. An act for the relief of the estate of Artemus E. Gibson.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3165) providing for second and additional homestead entries, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

LIFE-SAVING STATION, TILLAMOOK BAY, OREGON.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate bill for a life-saving station.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station at or near the entrance to Tillamook Bay, on the coast of Oregon, at such point as the General Superintendent of the Life-Saving Service may recommend.

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like to hear some explanation of this bill.

Mr. HERMANN. What does the gentleman desire to know?

Mr. MADDOX. What is it about this station?

Mr. HERMANN. I would state, Mr. Speaker, that this is to be a life-saving station at a point between the Columbia River and Yaquina Bay. There is no other life-saving station within about 50 miles to the north and another within about 50 miles to the south. This has been urgently recommended by the district engineer, and also by the superintendent of the life-saving stations. It has long been demanded by public necessity. Many wrecks have occurred there, together with occasional loss of life. It will protect the entrance, the shipping, and human life, and the safety of property at the mouth of two important harbors—to wit, Tillamook Bay and Nehalem Bay. The Government is asked to construct jetties at these two entrances, through which flow two large bodies of water. The splendid standing timber at the headwaters of Tillamook and Nehalem is unrivaled in the world for quality and has more quantity than is found in the same area in any other part of the world. With improved entrances no better harbors can be desired. Between these two harbors there is a well-beaten roadway along the sea beach, and it is supposed that one station will do for both of these points.

I will state that there is no objection whatever made by the Department and that the report of the committee is unanimous. I have personally visited these magnificent sections of Oregon, and have long advocated a first-class life-saving station at or near Tillamook Bay, and hope later on a Government telephone system between the two harbors will be established. I hope Congress will next enter upon a safe and sufficient improvement of these navigable waterways out to the high seas.

Mr. MADDOX. Will the gentleman yield to a question? What is the cost of this?

Mr. HERMANN. I will state that until this bill passes there will be no appropriation, Mr. Speaker, for this station.

Mr. MADDOX. Of course there will be some time?

Mr. HERMANN. Yes; there will be, I hope, soon. It will cost whatever is found necessary in the construction of the station and in its maintenance. I will state that it is my understanding that none of these stations cost over $10,000.

Mr. MADDOX. Has no estimate been made?

Mr. HERMANN. There is the usual estimate of $10,000, which will come in the appropriation bill when the appropriation shall be made. This it is expected will be made in the short session of Congress, so that the good work can go forward and be a credit to our coast.

Mr. MADDOX. Has this bill been referred to any committee of this House?

Mr. HERMANN. It has, and is unanimously reported by the Committee on Commerce.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

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

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

OAHU RAILWAY AND LAND COMPANY, TERRITORY OF HAWAII.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the deeds from the authorities of Hawaii, dated the 29th day of April, 1903, and the 4th day of February, 1899, respectively, to the Oahu Railway and Land Company, conveying a right of way 40 feet wide for a railway of said company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed.

The SPEAKER. Is there objection to the present consideration of the bill which the clerk has just reported? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

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

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

GENERAL DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to take up the conference report on the general deficiency bill and to omit the reading of the report and to read in lieu thereof the statement of the conferees.

The SPEAKER. The gentleman from Indiana asks unanimous consent to call up the conference report on the general deficiency appropriation bill and to read the statement in lieu of the report. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would ask if this is a unanimous report?

Mr. HEMENWAY. It is.

Mr. UNDERWOOD. Is much new legislation carried in it?

Mr. HEMENWAY. Oh, no; very little. I think the reading of the report will satisfy the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chairs hears none, and the Clerk will read the statement.

The Clerk read the statement.

The conference report and statement are 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. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, having met, after full and free confer-

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

That the Senate recede from its amendments numbered 7, 13, 16, 25, 26, 27, 28, 29, 30, 40, 49, 51, 52, 53, 55, 60, 86, 92, 93, and 105.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 15, 17, 18, 19, 20, 21, 23, 24, 31, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 50, 54, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 87, 88, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104; and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word "expended" and insert in lieu thereof the words "the close of the fiscal year nineteen hundred and five;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lines 4 and 5 of said amendment strike out the words "approved April —, nineteen hundred and four," and insert in lieu thereof the following: "passed during the present session of Congress;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "offices," insert the following: ", except such employees as were transferred by the Secretary of War to the military information division of the General Staff prior to April first, nineteen hundred and four;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In line 6 of said amendment strike out all after the word "States," down to and including the word "surplus," in line 7, and insert in lieu thereof the words "the proceeds;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the word "first" and insert in lieu thereof the word "fourth;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and Senate Documents Numbered Two hundred and eighty-four, Two hundred and ninety-three, and Three hundred;" and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The accounting officers of the Treasury are hereby authorized and directed to reopen and adjust the claim of the State of Missouri, under the act to reimburse the State of Missouri for moneys expended for the United States in enrolling and equipping and provisioning militia forces to aid in suppressing the rebellion, approved April seventeenth, eighteen hundred and sixty-six, on the basis of like claims of Indiana, Michigan, New York, Maine, and Pennsylvania;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Add at the end of said amendment, after the word "cents," the following: ", and the acceptance of payment hereunder shall be in full for all claims, of the character herein provided for, by the State of Texas;" and the Senate agree to the same.

J. A. HEMENWAY,
H. C. VAN VOORHIS,
L. F. LIVINGSTON,
Managers on the part of the House.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,
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 amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies submit the following written statement in explanation of the effect of the action agreed upon as to such amendments and submitted in the accompanying conference report, namely:

The Senate by its amendments added $1,098,920.96 to the bill as it passed the House, of which sum it is agreed that the Senate recede from $819,809.18, and that the House agree to $270,111.78.

The amendments of the Senate, which added to the bill additional sums ascertained as deficiencies since the passage of the bill by the House, including claims allowed by the accounting officers of the Treasury, judgments of the courts, and certain amounts necessary on account of expenses of the Senate, are all agreed to. With reference to other amendments inserted by the Senate the following action is agreed upon:

On amendments numbered 1, 2, and 3: Strikes out two provisions which have been embraced in the sundry civil bill and transfers the consulate at Erzerum, Turkey, to Trebizond, Turkey.

On amendment numbered 5: Appropriates $5,000 as proposed by the Senate for medals to commemorate the birth of Benjamin Franklin.

On amendment numbered 6: Provides for the balance of the current fiscal year for the increase of the number of employees in the office of the assistant treasurer at St. Louis which are authorized for the next fiscal year, together with two additional coin counters from May 1 to November 30, 1904.

On amendment numbered 7: Strikes out the appropriation of $4,926.67 for payment to owners of the Norwegian steamship *Nicaragua*.

On amendment numbered 8: Appropriates $30,000, as proposed by the Senate, for fees and expenses for special assistant attorney-general in special investigation and prosecution of certain frauds upon the customs service.

On amendments numbered 13, 14, 15, 16, 17, and 18, relating to the District of Columbia: Strikes out the appropriation of $55.96 on account of Rock Creek Park; provides for the salaries authorized under the act to regulate electrical wiring in the District of Columbia; authorizes use of appropriation made for furniture for new school buildings for the equipment of such buildings; strikes out appropriation of $500 for underground drain for Congress Heights engine house, and appropriates $500 for deepening well for Congress Heights engine house.

On amendment numbered 24: Inserts the provision proposed by the Senate extending the time for two years for filing claims for property taken from Confederate officers and soldiers.

On amendments numbered 25, 26, and 27: Strikes out the appropriations proposed by the Senate of $8,524.10 for damages to steamer *Regnar*, $600 for damages to steamer *Hikoson Maru*, and $948.27 for damages to steamer *Shirley*.

On amendment numbered 28: Strikes out provision for credit in the accounts of Maj. George T. Holloway.

On amendment numbered 29: Strikes out provision for reimbursement to George W. Dant.

On amendment numbered 30: Strikes out appropriation of $500 for extra work for the description of ceremonies attending the unveiling of the statue of General Sherman.

On amendment numbered 31: Appropriates $3,500, as proposed by the Senate, for exhibition at the Louisiana Purchase Exposition of the model of the Capitol building.

On amendment numbered 32: Inserts provision authorizing the Secretary of War to rent electrical power generated by the power plant of the Rock Island Arsenal.

On amendment numbered 33: Inserts the provision transferring to the Navy Department certain records in other Executive Departments relating to the Navy.

On amendment numbered 40: Strikes out the appropriation of $6,280 for cold-storage plant at the Government Hospital for the Insane.

On amendments numbered 43 and 44: Appropriates $10,000, as proposed by the Senate, for testing timber at the Louisiana Purchase Exposition.

On amendment numbered 45: Appropriates $6,000 for the expenses of the joint committee of Congress to represent Congress at the formal opening of the Louisiana Purchase Exposition.

On amendments numbered 49, 51, and 52: Strikes out the provisions proposed by the Senate reappropriating the unexpended balance for Indian day and industrial schools; reappropriating the unexpended balance for construction, purchase, lease, and repair of Indian school buildings; and the appropriation of $1,000 to procure the relinquishment of an alleged claim within the reservation of the Mission Indians in California.

On amendment numbered 53: Strikes out the appropriation of $25,039.75 for the Grand Rapids and Indiana Railway Company.

On amendment numbered 55: Strikes out the appropriation of $100,000 for repairs to buildings at Ellis Island, New York.

On amendment numbered 59: Appropriates $20,000, as proposed by the Senate, for taking testimony abroad for the Spanish Treaty Claims Commission.

On amendment numbered 86: Strikes out the provision proposed

by the Senate authorizing the State of Massachusetts to appeal to the Comptroller for review of claims under the act of 1861.

On amendment numbered 89: Strikes out the appropriation of $475.198.13 for the State of Missouri and inserts a provision authorizing the accounting officers of the Treasury to reopen and reaudit the claim of said State under the act of April 17, 1866, on the basis of like claims of Indiana and other States.

On amendment numbered 90: Appropriates, as proposed by the Senate, $50,874.53 to pay the amount ascertained to be due the State of Texas on account of Greer County.

On amendment numbered 91: Inserts the provision proposed by the Senate authorizing the accounting officers to reopen and adjust the claims of New Jersey and Wisconsin on the basis of like claims of Indiana and other States.

On amendment numbered 92: Strikes out the provision proposed by the Senate authorizing the accounting officers of the Treasury to ascertain the amounts due Massachusetts, Maine, New Hampshire, Rhode Island, New York, and Pennsylvania according to the method adopted under the act of 1875 in the case of the State of Maryland.

On amendment numbered 93: Strikes out the appropriation, proposed by the Senate, of $195,260.43 to pay certain States amounts reported, under a resolution of the Senate, to the Fifty-fourth Congress.

On amendment numbered 94: Appropriates, as proposed by the Senate, $1,250 for the relief of the widow of General Longstreet.

On amendments numbered 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104: Leaves in the bill the provision with reference to the exclusion of Chinese exactly as proposed by the amendments of the Senate.

On amendment numbered 105: Strikes out section 6 of the bill, proposed by the Senate, with reference to Chinese and other aliens whose immigration is encouraged or induced by agreement of any foreign government with any transportation company.

J. A. HEMENWAY,
H. C. VAN VOORHIS,
L. F. LIVINGSTON,
Managers on the part of the House.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the chairman of the committee if the provision in reference to the testing of coal at the St. Louis exposition is left the same as it was in the House bill?

Mr. HEMENWAY. It is just the same, except that the Senate adds $10,000 for the testing of wood.

Mr. UNDERWOOD. The appropriation in reference to the testing of coal is not interfered with?

Mr. HEMENWAY. No.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman to explain another proposition, and that is the provision put in there respecting the claims of certain States. I can not understand it.

Mr. HEMENWAY. The Senate had added a provision to audit the claims of a number of States under the rule laid down in the Maryland case, a rule which has never been adopted in the case of any State except the State of Maryland.

That provision was stricken out. There was one provision to audit the claims of New Jersey and Wisconsin, following the same principle on which the claims of New York, Pennsylvania, Indiana, Kentucky, and a number of other States were audited. We put New Jersey and Wisconsin on the same basis with the States that have already had their claims audited.

With reference to the State of Missouri, the Senate had put on the bill a provision for the payment of some $400,000 to that State; but, by agreement, we struck out the appropriation and provided that this claim should also be audited along the same lines with the States whose claims have heretofore been audited.

Mr. UNDERWOOD. I understand that upon the recent auditing of the claims of the State of Pennsylvania and Indiana interest was allowed on the amounts which had been advanced—an allowance which had not been previously given.

Mr. HEMENWAY. The gentleman is mistaken. Interest was not in those cases allowed to the States upon the amounts that they had advanced, but they were allowed the interest they had actually paid out.

Mr. UNDERWOOD. Does the proposition in this bill to audit the accounts of the State of New York and other States go farther in that direction than has already been provided in the case of the State of Pennsylvania?

Mr. HEMENWAY. Not at all. The allowance is confined to the exact conditions applied to the claims which have been audited. We declined to allow anything to go into the bill that enlarged in any way the authority of the auditor in passing upon these claims.

Mr. UNDERWOOD. I did not believe that the basis on which the claims of Indiana and Pennsylvania were audited was correct. But as we have established that precedent, I do not object to the same rule being applied in the case of other States.

Mr. HEMENWAY. I think if the gentleman will examine the case he will admit that the basis adopted in the cases referred to was the correct basis. These States were not paid interest at all on the amounts that they advanced; they were simply repaid the actual amount in dollars and cents which they had paid out, without interest; but as part of their reimbursement they were allowed an amount equivalent to the interest they had paid on their bonds. The States simply received the actual amount in dollars and cents they had paid out. In the Senate amendments an effort was made to add legislation that would give the State interest. To that the House conferees refused to agree, and insisted that these States should be put on the same basis with all the other States that have had their claims audited.

Mr. PAYNE. Why is it that those States that made the advances directly from their own funds, and taxed their citizens to meet that payment, are not as much entitled to interest as States that borrowed money and are being paid the interest that they paid out in such cases?

Mr. HEMENWAY. Well, it has never been the policy of the Government to pay any interest to any of these States.

Mr. PAYNE. The provision in the case of Indiana was adopted against my protest. I did not know but that the gentleman could give some reasons for applying two different rules in the repayment of these advances.

Mr. HEMENWAY. The gentleman from New York does not properly state the case. Indiana was not made an exception. Not one dollar of interest was paid to Indiana; but the claims of that State were settled in accordance with the dicision in the New York case, which was decided by the Supreme Court of the United States.

Mr. PAYNE. The State of Indiana, as I understand, borrowed the money in order to make these advances, and was repaid the interest it was compelled to pay on the amount that it borrowed. The State of New York, as I understand, advanced the money from her receipts of taxes, and therefore did not have to pay out interest, and never received any interest from the Government.

Mr. HEMENWAY. The gentleman is wholly mistaken. He is not informed as to the condition of the case. The State of New York did not pay out interest, but she paid the money out of her canal fund, and that fund had interest credited to it, making that case correspond with the cases of Pennsylvania, Kentucky, Iowa, Wisconsin, and other States. There was practically no difference, and the effect of this report is to make no difference as to any of the States in the settlement of these claims. The claims are all to be settled on the same basis exactly.

Mr. PAYNE. I made the statement because I was informed at the time that upon the same basis which has been adopted with other States the State of New York would receive a great deal more money than she has received.

Mr. HEMENWAY. The gentleman is absolutely mistaken, because the decision in the New York case is the basis on which all these claims are being settled.

Mr. LIVINGSTON. Every one.

Mr. PAYNE. There is no other legislation in the bill?

Mr. HEMENWAY. I think of none; the report speaks for itself. If there are no further questions, I ask a vote on agreeing to the conference report.

The question being taken, the report was agreed to.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. I ask unanimous consent for the present consideration of the conference report on the sundry civil appropriation bill.

There was no objection.

The SPEAKER. The Clerk will read the statement.

The Clerk read as follows:

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 amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses, submit the following written statement in explanation of the effect of the action agreed upon and recommended in

the accompanying conference report on each of said amendments, namely:

On amendments numbered 1, 2, and 3: Appropriates $100,000, instead of $200,000, as proposed by the Senate, for the custom-house at Baltimore, Md.; authorizes, as proposed by the Senate, the acquisition of additional land for a site for said custom-house, to cost not exceeding $90,000, and appropriates the sum of $171,600 to make good the damage to said custom-house by the fire in Baltimore in February, 1904.

On amendment numbered 4: Appropriates $15,000, as proposed by the Senate, for repairs to the Detroit (Mich.) post-office and court-house.

On amendments numbered 5 and 6: Appropriates $15,000, as proposed by the House, instead of $20,000, as proposed by the Senate, for rent of public building at Los Angeles, Cal., and strikes out the provision proposed by the Senate with reference to the site for the court-house and post-office at Los Angeles, Cal.

On amendment numbered 7: Appropriates $12,000, as proposed by the Senate, for the New York appraiser's warehouse.

On amendment numbered 8: Strikes out the appropriation of $11,000, as proposed by the Senate, for elevator, etc., for the St. Paul, Minn., public building.

On amendment numbered 9: Inserts the provision proposed by the Senate extending for one year the time within which sites may be acquired for certain public buildings.

On amendment numbered 10: Strikes out the appropriation of $45,000 proposed by the Senate for elevators for certain public buildings.

On amendment numbered 11: Strikes out the appropriation of $71,000 proposed by the Senate for a building for the Bureau of American Republics.

On amendment numbered 12: Strikes out the appropriation of $65,000 proposed by the Senate for a cable from Angel Island, California, quarantine station.

On amendment numbered 13: Inserts the provision authorizing the Secretary of the Treasury, under conditions to be prescribed by him, to permit private messages to be sent over telephone lines controlled by the Treasury Department.

On amendments numbered 14, 15, and 16: Strikes out the increases proposed by the Senate in the appropriations for the Bureau of Engraving and Printing.

On amendment numbered 17: Appropriates $27,000, as proposed by the Senate, instead of $26,000, as proposed by the House, for international exchanges, and inserts a provision requiring estimates to be submitted for all expenditures made for international exchanges.

On amendments numbered 18 and 19: Strikes out the appropriation of $10,000 proposed by the Senate for purchase of specimens for the National Museum and inserts the provision as proposed by the Senate, providing for seats for Zoological Park.

On amendments numbered 20, 21, and 22: Appropriates $249,000, instead of $234,000 as proposed by the House and $259,000 as proposed by the Senate, for the Interstate Commerce Commission, and makes a verbal correction in the text of the bill.

On amendment numbered 23: Strikes out the provision proposed by the Senate removing the limitations as to the amount of subsidiary silver coinage.

On amendments numbered 24, 25, 26, and 27: Strikes out the appropriations proposed by the Senate of $20,000 for a second water main and $12,000 for a water-purification plant at the Ellis Island immigrant station, and strikes out the provision proposed by the House repealing the balance of the appropriation heretofore made for repairs and alterations at said station.

On amendment numbered 28: Inserts the provision proposed by the Senate requiring a report as to the immigration detention station on Angel Island, California.

On amendments numbered 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, with reference to light-houses, beacons, and fog signals: Inserts appropriations as proposed by the Senate for the following: Boone Island, Maine; Black Ledge, Connecticut; Elbow of Cross Ledge, Delaware Bay and River; Cape Lookout, North Carolina; Cape San Blas, Florida; depot for the ninth light-house district; Presque Isle, Michigan; Point Conception, California; New Dungeness, Washington; tender for fourth light-house district; tender for sixth light-house district; tender for Lake Superior; Prestigo Reef light-vessel, Wisconsin; expenses of transfer of two light vessels to the Pacific coast; inserts a provision requiring estimates in detail for lighting Ambrose Channel, New York; and strikes out the following, which were proposed by the Senate, for light-houses and the light-house service—namely, Stonington Breakwater, Connecticut; Goose Island Flats, Delaware Bay and River; Bodie Island, North Carolina; Frankfort Pier Range, Michigan; Buffalo Breakwater, New York; Cape Mendicino, California; Battery Point, Washington; tender for light-house service in Porto Rico and tender for thirteenth light-house district.

On amendment numbered 53: Appropriates $740,000, instead of $700,000 as proposed by the House and $775,000, as proposed by the Senate, for repairs to light-houses.

On amendment numbered 54: Appropriates $525,000, as proposed by the House, instead of $537,500, as proposed by the Senate, for expenses for light-vessels.

On amendments numbered 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65: Provides for the following employees in the Coast and Geodetic Survey in addition to those authorized in the bill as it passed the House, namely: One assistant, at $1,800; one assistant, at $1,400; two assistants, at $1,200 each; one draftsman, at $1,600; one copperplate engraver, at $1,800; one copperplate engraver, at $1,600.

On amendments numbered 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79, relating to the Fish Commission: Appropriates, as proposed by the Senate, for one assistant architect, at $1,600; one car captain, at $1,200; one car messenger, at $1,000; one assistant car messenger, at $900; one car laborer, at $720; one car cook, at $600; increases the amount for the fish-cultural station at Neosho, Mo., from $7,500 to $11,000; appropriates $15,000 for the fish hatchery at Green Lake, Me.; strikes out the proposed reappropriation for the fish hatchery at St. Johnsbury, Vt.; and appropriates $10,000 for equipment for the steamer *Albatross*.

On amendment numbered 80: Inserts the appropriation proposed by the Senate prescribing the salaries for the agent and assistant agent for the salmon fisheries in Alaska.

On amendment numbered 81: Restores to the bill the provision proposed by the House making the appropriations hereafter made for the enforcement of the Chinese-exclusion act available for the Bertillon system of identification.

On amendments numbered 82 and 83: Appropriates $32,000, as proposed by the Senate, instead of $30,000, as proposed by the House, for work at the Capitol; and inserts the provision, proposed by the Senate, continuing during the next fiscal year unexpended balances of appropriations for work at the Capitol made for the present year.

On amendment numbered 84: Inserts the provision proposed by the Senate for an office building for Senators.

On amendments numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93, to the paragraph providing for the extension of the Capitol building: Strikes out all of the amended paragraph and substitutes therefor a provision for a joint commission of three Senators and three Representatives to inquire and report to the next session of Congress plans in detail and estimates of cost for the extension and completion of the Capitol building.

On amendments numbered 94, 95, 96, 97, 98, and 99: Makes the appropriations for contingent expenses of the land offices, depredations on public timber, etc., protection and administration of forest reserves, examinations of desert lands, and transcripts of records and plats, General Land Office, conform to the terms proposed by the said amendments.

On amendments numbered 100 and 101: Makes a verbal correction in the text of the bill and inserts the provision proposed by the Senate donating 20 acres of land to the town of Coeur d'Alene, Idaho.

On amendments numbered 102, 103, 104, 105, and 106, relating to the Geological Survey: Appropriates $175,000, as proposed by the House, instead of $200,000, as proposed by the Senate, for geological surveys; strikes out the appropriation of $4,000, as proposed by the Senate, for transmission of public documents through the Smithsonian exchange; strikes out the provision proposed by the Senate authorizing the purchase of legal publications, and strikes out the appropriation of $20,000 proposed by the Senate for a railroad map of the United States.

On amendment numbered 107: Inserts the provision proposed by the Senate requiring a report with reference to the Yosemite Park.

On amendment numbered 108: Appropriates $3,000, as proposed by the House, instead of $4,000, as proposed by the Senate, for the Crater Lake National Park.

On amendment numbered 109: Appropriates $4,000, as proposed by the Senate, for maps of the United States, to be sold by the Interior Department.

On amendment numbered 110: Strikes out the appropriation of $50,000 proposed by the Senate for education of Indians in Alaska.

On amendments numbered 111 and 112: Makes a verbal correction in the text of the bill, and strikes out the provision proposed by the Senate for a disbursing clerk for the Government Hospital for the Insane.

On amendments numbered 113 and 114: Appropriates $7,000, as proposed by the Senate, instead of $3,000, as proposed by the House, for the industrial department of Howard University.

On amendment numbered 115: Inserts the provision proposed by the Senate retroceding to Howard University eleven acres of ground.

On amendment numbered 116: Inserts the provision proposed by the Senate authorizing Providence Hospital to negotiate a further loan of $150,000.

On amendment numbered 117: Appropriates $6,000, as proposed by the Senate, for a lighting plant at Watertown Arsenal, Mass., and inserts the provision proposed by the Senate granting to the State of Massachusetts the right of way through a portion of the lands of the Watertown Arsenal for parking purposes.

On amendment numbered 118: Strikes out the appropriation of $50,000 proposed by the Senate for a statue of Thomas Jefferson, and inserts in lieu thereof a provision creating a commission to report to the next session of Congress plans and designs for a statue of Thomas Jefferson, to cost not exceeding $100,000, and appropriating $5,000 for expenses.

On amendment numbered 119: Appropriates $4,000, as proposed by the House, instead of $7,500, as proposed by the Senate, for improvement of the Executive Mansion grounds.

On amendments numbered 120, 121, 122, 123, 124, and 125: Fixes the price of electric arc lights in certain parks of the District of Columbia at $85 per light per annum.

On amendments numbered 126, 127, and 128: Makes a verbal correction in the text of the bill and appropriates $2,500, as proposed by the Senate, for constructing a reception room on the lower floor of the Washington Monument.

On amendments numbered 129, 130, 131, 132, and 133: Makes necessary verbal corrections in the text of certain appropriating clauses for river and harbor contract works.

On amendment numbered 134: Makes the appropriation for burial of indigent soldiers available for those who died in the immediate vicinity of the District of Columbia or who die in the District of Columbia and are buried in the immediate vicinity thereof, as proposed by the Senate.

On amendment numbered 135: Makes the appropriation for bringing home the remains of officers and soldiers who die abroad available only for those who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States or who die while on voyage at sea, as proposed by the Senate.

On amendments numbered 136, 137, 138, and 139: Appropriates $1,500,000, as proposed by the Senate, instead of $900,000, as proposed by the House, for construction and enlargement of buildings at military posts, and segregates a certain portion of the appropriation, as proposed by the Senate, except that for the Indianapolis military post $523,000 is appropriated instead of $375,000, and strikes out of the bill the specific appropriation of $523,990 proposed by the House for the Indianapolis military post.

On amendment numbered 140: Appropriates, as proposed by the Senate, the sum of $180,000 for purchase of a site for the military post at Columbus, Ohio.

On amendment numbered 141: Appropriates $15,000 instead of $25,000, as proposed by the Senate, for improving the Presidio Military Reservation.

On amendments numbered 142 and 143: Appropriates for the protection of the Fort Crockett Military Reservation, at Galveston, Tex., as proposed by the Senate.

On amendment numbered 144: Inserts the provision authorizing the Treasurer of the United States to receive the sum of $35,000 from the executive committee of the Statue of Liberty, in New York, and authorizes the Secretary of War to keep such Statue of Liberty in repair and pay for the same from the appropriation for regular supplies under the Quartermaster's Department.

On amendment numbered 145: Appropriates $15,000 instead of $25,000, as proposed by the Senate, for protecting Jamestown Island.

On amendment numbered 146: Appropriates $32,000, as proposed by the Senate, instead of $20,000, as proposed by the House, for the Shiloh National Park.

On amendments numbered 147, 148, 149, 150, 151, 152, and 153, relating to the National Home for Disabled Volunteer Soldiers: Leaves the provisions of the bill with reference to the Homes exactly as they were passed by the House.

On amendment numbered 154: Inserts the appropriation of $2,000 proposed by the Senate for an international congress to consider subjects relating to collisions and salvage.

On amendment numbered 155: Inserts the appropriation of $2,830.79 proposed by the Senate for the International Sanitary Bureau.

On amendment numbered 156: Inserts the appropriation of $50,000 proposed by the Senate for legation buildings at Peking, China.

On amendment numbered 157: Appropriates $5,000 instead of $25,000, as proposed by the Senate, for the international exposition at Liege, Belgium.

On amendment numbered 158: Strikes out the appropriation of $25,000 proposed by the House for removal and reconstruction of greenhouses of the Department of Agriculture.

On amendments numbered 159, 160, and 161: Makes a verbal correction in the text of the bill and appropriates $25,840, as proposed by the Senate, instead of $10,878, as proposed by the House, for repairs to the court-house at Washington, D. C.

On amendment numbered 162: Reappropriates and continues available the appropriation of $30,000 for the United States penitentiary on McNeils Island, Washington.

On amendment numbered 163: Makes the appropriation for enforcement of antitrust laws available during the fiscal year 1905, as proposed by the House, instead of until expended, as proposed by the Senate.

On amendment numbered 164: Appropriates $210,000, as proposed by the House, instead of $220,000, as proposed by the Senate, for regular assistants to United States attorneys.

On amendments numbered 165 and 166: Appropriates $85,000, as proposed by the House, instead of $135,000, as proposed by the Senate, for assistant attorneys in special cases, and makes a verbal correction in the text of the bill.

On amendment numbered 167: Makes the appropriation for miscellaneous expenses at the United States penitentiary at Fort Leavenworth, Kans., available for care and medical treatment of guards injured by prisoners while said guards are endeavoring to prevent escapes or suppressing mutiny.

On amendment numbered 168: Appropriates $2,000, as proposed by the Senate, for purchase of the bust of General Lafayette.

On amendment numbered 169: Strikes out the appropriation of $2,500, as proposed by the Senate, for purchase of bust of ex-President Taylor.

On amendment numbered 170: Makes $170,000 of the appropriation for printing and binding for the Department of Commerce and Labor available for the Census Office.

On amendment numbered 171: Inserts as section 5 of the bill the amendment proposed by the Senate authorizing medals for the Louisiana Exposition.

JAMES A. HEMENWAY,
FREDK. H. GILLETT,
M. E. BENTON,
Managers on the part of the House.

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. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 8, 10, 11, 12, 14, 15, 16, 18, 23, 24, 25, 26, 30, 34, 35, 38, 40, 43, 45, 46, 50, 54, 62, 63, 64, 65, 66, 78, 81, 100, 102, 105, 106, 108, 110, 112, 119, 147, 148, 149, 150, 151, 152, 153, 163, 164, 165, and 169.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 9, 19, 22, 27, 28, 29, 31, 33, 36, 37, 39, 41, 42, 44, 51, 52, 55, 56, 59, 60, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 82, 83, 84, 94, 95, 96, 97, 98, 99, 101, 103, 107, 109, 111, 113, 114, 115, 116, 117, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 142, 143, 146, 154, 155, 156, 158, 159, 160, 161, 162, 166, 167, 168, 170, and 171, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert as a new paragraph the following:

"The Secretary of the Treasury is hereby authorized to acquire, by purchase, condemnation, or otherwise, the properties known as the Peabody and Gunton properties, immediately adjacent to the site of the said custom-house building, abutting on Water street, Exchange place, and Post-Office avenue, in the city of Baltimore, Maryland, at a cost not to exceed the sum of ninety thousand dollars; and the said Secretary is hereby authorized to use for that purpose the sum of twenty-four thousand nine hundred and eighty-eight dollars and eighty-one cents remaining available from the purchase of the Merchants' National Bank property, together with the further sum of sixty-five thousand and eleven dollars and nineteen cents, which sum is hereby appropriated for that purpose."

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with amendments as follows: In line 1 of said amendment strike out the words "one hundred and seventy-five thousand" and insert in lieu thereof the words "one hundred and seventy-one thousand six hundred;" and in line 5 of said amendment, after the word "four," insert the words "and not covered by insurance;" and at the end of said amendment, after the word "fire," insert the following: ": *Provided*, That said release shall

operate as a bar to any claim of said Henry Smith & Sons for any damages incurred by them in constructing said building in excess of said sum of one hundred and seventy-one thousand six hundred dollars;" and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out all of *said amendment* after the word "States," in line 9, down to and including the word "company," in line 15; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: After the word "dollars," at the end of the amended paragraph, insert the following: ", and for the fiscal year nineteen hundred and six estimates shall be submitted hereunder embracing all sums expended for this service out of other appropriations made by Congress;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and forty-nine thousand dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and ninety thousand dollars;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Ambrose Channel Light Station, New York: Detailed estimates shall be submitted to Congress at its next session for a complete system of lighting Ambrose Channel, including the number and character of lights required and the cost of each."

And the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with amendments as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and after the word "dollars," at the end of said amendment, insert the following: "; and the Light-House Board is authorized to employ temporarily at Washington not exceeding three draftsmen, to be paid at current rates, to prepare the plans for the tenders for which appropriations are made by this act, such draftsmen to be paid from and equitably charged to the appropriations for building such vessels, such employment to cease and determine on or before the date when, the plans for such vessels being finished, proposals for building said vessels are invited by advertisement;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven hundred and forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the number proposed insert "ten;" and the Senate agree to the same.

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

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three;" and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and sixty thousand five hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "one," insert the word "assistant;" and the Senate agree to the same.

Amendments numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93: That the House recede from its disagreement to the amendments of the Senate numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"A joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island, Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois, Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee, which is hereby created, is authorized to inquire and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary, and for each and every purpose connected therewith, including the employment of such professional and other services as they may deem requisite, and for such other expenses as said joint commission may authorize or incur, there is hereby appropriated the sum of fifty thousand dollars, or so much thereof as may be necessary; and the superintendent of the capitol building and grounds, under the direction and supervision of said commission, or such commission as shall be authorized by Congress, shall conduct the making of all contracts for said construction, whenever and not before the same shall be authorized by Congress, after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of such commission, shall employ such professional and personal services in connection with said work when authorized as aforesaid as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of said commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

And the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million and eighty-seven thousand nine hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable a commission, which is hereby created, to be composed of the Secretary of State, the chairman of the Committee on the Library of the Senate, and the chairman of the Committee on the Library of the House of Representatives of the Fifty-eighth Congress to select a site on the public grounds in the District of Columbia for a statue of Thomas Jefferson, to cost complete not to exceed one hundred thousand dollars, and to procure plans and designs for the same, to be reported to Congress during its next session, five thousand dollars."

And the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 15 of the matter inserted by said amendment strike out the words "three hundred and seventy-five" and insert in lieu thereof the words "five hundred and twenty-three;" and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with amendments as follows: In line 7 of said amendment strike out the words "and directed," and in line 8 strike out the words "and the electric torch thereof lighted;" and in line 12, after the word "incurred," strike out all down to and including the word "appropriated," at the end of the amendment; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and

agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "five thousand dollars;" and the Senate agree to the same.

JAMES A. HEMENWAY,
FREDK. H. GILLETT,
M. E. BENTON,
Managers on the part of the House.
W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. HEMENWAY. If any gentleman desires to ask a question about the conference report, I shall be glad to answer it.

Mr. UNDERWOOD. How much have the Senate increased the total of the bill?

Mr. HEMENWAY. The amendments of the Senate increased the bill to the extent of $2,658,000. In conference we reduced it $1,059,000. The gentleman understands that $750,000 of the increase goes to the purchase of a site for the Senate building, so of the balance the House cut off more than one-half.

Mr. UNDERWOOD. To what conclusion did the conferees come in reference to the extension of the Capitol?

Mr. HEMENWAY. That is referred to a commission composed of three Senators and three Members of the House, to investigate and report at the next session of Congress.

Mr. DE ARMOND. Mr. Speaker, I should like to ask what became of amendment 84, providing for a new Senatorial building?

Mr. HEMENWAY. That is for the Senate office building. That is agreed to.

Mr. DE ARMOND. You say that is agreed to by the conferees?

Mr. HEMENWAY. That is agreed to by the conferees.

Mr. DE ARMOND. I believe I should like to say a few words on that.

Mr. HEMENWAY. How much time does the gentleman desire?

Mr. DE ARMOND. Five or ten minutes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 3860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. ALGER, and Mr. BLACKBURN as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. I yield to the gentleman from Missouri [Mr. DE ARMOND] ten minutes.

Mr. DE ARMOND. Mr. Speaker, we are supposed to be very late in the session and very near to its final adjournment, but I do not believe that the session is so far extended or that the time of adjournment is so near but that we might have a little further consideration of this item, and perhaps of others in this bill.

I was under the impression—and I think a good many others are perhaps yet—that the Senators are and have been for many years provided with a very good office building. Now, of course, I would not be one of those who would if I could—and surely I am one of those who could not if I would—deprive the gentlemen at the other end of this Capitol of anything to which they are entitled or anything which they need in the expeditious and courteous dispatch of their business; but it does seem to me that they hardly need this building at this time.

Perhaps it is intended as a Senatorial flat or apartment house. I think in fact that is what it will be, provided this building be constructed. Now, if that is true, I do not think it is quite right, and it seems to me it is not quite courteous to the executive branch of the Government, to build for our Senators a better apartment house than the Secretary of State, at his own expense, has built for himself. I understand a million of dollars was found sufficient to construct the finest building of the kind in this city. Now, if we are to have flats for the Senators, if Senators are to have gorgeous suites of apartments in which they are to disport themselves in the few leisure hours which they have, I believe we ought not to compete with private enterprise in so notorious, and, as it seems to me, offensive a way. Why not build these Senators more modest apartments, modestly furnished, and supplied, of course, with all the modern appliances for convenience, and not lacking in those evidences of taste and devotion to art so dear to the Senatorial heart, and so expensive sometimes in drafts upon the public purse?

Three million dollars for more offices for the Senators! Is it intended that they shall have double suites; that they shall have offices at one point and other offices at another point? Is it intended that they shall live part of the time in the Maltby Building and part of the time in this new, gorgeous structure? Or, is it intended that they shall rent out one set of apartments while they are occupying the others? When they move over from the Maltby, which is regarded really as furnishing pretty good accommodations, will they be permitted to rent that for their own benefit, or shall they continue to occupy it in some way?

Of course there is a certain degree of courtesy that obtains between the two bodies—the Senate and the House. That courtesy usually manifests itself in the House yielding to the Senate, and rarely finds evidence of its existence in the Senate yielding to the House. Yet, I think there is absolutely no need for this new building, and I think it ought not to be built. I think provision for it ought not to be in the bill. I think provision for it ought not to remain in the bill.

Now, perhaps it may be suggested, from the Senatorial end of the conference, that provision has been made for offices for Members of the House. As to the wisdom of that provision, or as to the necessity for it, different opinions may exist; but that provision has been for a single office for each single Member of the House. In other words, one Member of the House is to have one office, not one Member of the House two offices in two different buildings. Except those who happen to be chairmen of committees, nobody upon this side of the Capitol to this hour has had an office or office accommodations——

Mr. BARTLETT. Except those we rent.

Mr. DE ARMOND. Unless at his own expense he provide himself with it, while through long years every member of the Senate, great and small—of course nearly all of them being great, but a few small—every member of the Senate has been supplied with a good office. Everybody over there has a room in which to transact his public business, and everybody, I think, has some accommodations for his leisure moments—for the times when he unbends his mind and prepares himself for the arduous duties awaiting him in the near future.

If it be said that provision has been made for offices for Members of the House, can it be said as a corollary that a double number of offices ought to be provided for the Senators, already well supplied? Ought not the House, in the assertion of its dignity—ought not the House, by assuming that it is of as much consequence as the Senate, after the Senate shall have been provided with double suites of rooms and two office buildings—ought not the House to then insist upon another office building? And if that insistence should prevail, then of course would come the Senate with a demand for two more office buildings. I think it would do well enough for the present, especially in view of the fact that you are trying to evade everything that might be embarrassing, everything that might be criticised in the campaign—I think it would be well enough to defer action upon this matter, as action has been deferred upon many other matters which are pressing upon the attention of the people.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. DE ARMOND. Certainly.

Mr. STEPHENS of Texas. Do you not think that the House is estopped by having provided for a building for their own accommodation?

Mr. DE ARMOND. I think not.

Mr. STEPHENS of Texas (continuing). Without any serious objection being made?

Mr. DE ARMOND. No; I do not think that. I do not regard this doctrine of estoppel with favor. I do not think that the fact that the House has provided for the erection of one office building for itself should estop us from opposing the Senate when it proposes the erection for its members of a second office building. The Senate has already an office building. Does anyone suppose that these gentlemen during the years that have passed would have rested content without suitable accommodations for the transaction of their public business or for the solace in their hours of leisure? By no means. They provided for themselves long ago.

I was told when I came here—it was a tradition at this end of the Capitol then, as to the fact, I know nothing—that when arrangement was made for the purchase of the Maltby Building the purpose was that Members of this Chamber would have provision made for them there as well as would the gentlemen of the Senate. How true that is I do not know. How it has been we all know. The Maltby Building was appropriated, rightfully or wrongfully, for the exclusive use of the Senators, and Members of the House were left officeless.

Mr. STEPHENS of Texas. If the gentleman will permit a further interruption, the gentleman has forgotten that each Senator has three employees—a clerk, a messenger, and assistant messenger or assistant clerk. Now, is it not necessary for them to have a flat for each one of those clerks and secretaries?

Mr. DE ARMOND. There is much in that suggestion. Now, if this were a proposition to provide more commodious, more artistic, and more desirable accommodations for those who help the

Senators, for their various clerks, their various messengers, and their various assistants, under various designations, and some perhaps unclassified, that would be another proposition. Then we would have to go into the question, perhaps, as to how to deal with these people employed by the Senate—this large corps of assistants to the small corps of official chiefs over there. Then we might have to try to learn how they are cared for, how they are housed, and what their real needs are; whether they are sheltered against the inclemency of the winter or protected against the hot rays of the summer's sun; whether they have such accommodations as they should have. All these would be pertinent matters of inquiry, and the information would be valuable in guiding us in legislation. But it is a proposition that will take care of itself. All these employees still will have to be left to the trials of changing and trying seasons.

I think, perhaps, they are pretty well provided for. Maybe all these gentlemen, four or five to one, as has been suggested, may enjoy and bring some influence to bear upon their Senatorial superiors, and representing, as they may be assumed to do, in some considerable degree the importance of American citizenship, they may demand, in a courteous way, of course, of these "grave and reverend signiors" that they provide office buildings—one, two, three, four, or five office buildings—in order that each of them may have a flat for his accommodation. That may come later. The proposition now is for this additional care taking of the Senators, for double sheltering and housing these Senators, who now are sheltered and housed—providing better for those who are already well provided for. The fact that after long years of enjoyment of commodious quarters by the Senators provision has been made for an office building for the Members of the House affords no basis, it seems to me, for the contention that additional and unnecessary office quarters be now furnished for the Senators.

Besides, there are something like 386 Members of the House—or 390, including the Delegates—and the cost of the provision made to give each one of them an office is no more and no less than is carried by this item for additional unnecessary offices for 90 Senators. Three million dollars to provide an office building for nearly 400 Members of the House who have no office building and never have had any, and $3,000,000 to provide an office building for 90 Senators who have now and long have had a good office building. I think it would be better for this matter to go back to conference, and I believe our conferees might do well to suggest very courteously, very deferentially, of course, to the gentlemen from the Senate that we believe they might wait, at least, until after the election before insisting that provision be made for this duplicate office building. [Applause on the Democratic side.]

Mr. HEMENWAY. Mr. Speaker, the tradition built up by years of practice that each body should provide for its own comforts and its own committee rooms has grown to such an extent that the Senate concedes to the House the right to construct such building as it may desire to construct for the convenience of its Members and insists upon the right of the Senate to construct such buildings as they think necessary for the benefit of the Senate, and I will say to the House that the conferees on the part of the House pointed out to the Senate that in our judgment the building they seek to erect was unnecessary. We urged upon the Senate that the extension of the Capitol would provide all of the space necessary for the accommodation of the Senate. Upon the other hand, the Senate insisted that it would not supply the accommodations, and the Senate insisted that the Maltby Building was unsafe, that that building had to be abandoned, and that there were some fifty-odd Senators who were not provided with committee rooms.

The Senate further insisted that in great hearings before committees, such as are constantly occurring—take, for instance, the SMOOT case—and hearings on different public questions, that there ought to be somewhere a room large enough where these hearings could be held and the public given a chance to be present.

Mr. GAINES of Tennessee. Mr. Speaker, may I ask my friend a question?

Mr. HEMENWAY. Let me get through, and then I will yield. I want to conclude my statement. Now, to all of these suggestions the conferees on the part of the House urged that the Senate wait and see what disposition was made of the extension of the Capitol. They declined to do so. Now, following the rule that I say has prevailed for many years, that each body should determine for itself the amount of space necessary for its accommodation and take the responsibility with the country for its construction, the House conferees yielded. Now, that is the case exactly. It is a practice that has prevailed, I am informed, from the earliest days, of allowing each branch of Congress to determine these questions for themselves and go to the country and take the responsibility for that determination.

The House conferees, of course, if they could have their way, would not agree to this amendment; but following, as I say, the practice that has prevailed for many years, the House conferees agree to this amendment.

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman permit me an inquiry?

The SPEAKER. Does the gentleman yield?

Mr. HEMENWAY. I yield to the gentleman.

Mr. GAINES of Tennessee. Have not the Senators offices and committee rooms over there outside the Senate?

Mr. HEMENWAY. I stated—I guess the gentleman was not in—that it is claimed that the Maltby Building is unsafe and has to be abandoned.

Mr. GAINES of Tennessee. The Members of the House do not nave offices, not by any means; but I understand the Senators over there have, and the Government pays for those offices. Is that so?

Mr. HEMENWAY. No; as I understand, the Senate has no committee rooms other than the committee rooms of the Capitol and the Maltby Building.

Mr. GAINES of Tennessee. The Government pays for the Maltby Building, does it not?

Mr. HEMENWAY. I stated to the gentleman that the Maltby Building is unsafe, as they state, and that it has to be abandoned.

Mr. GAINES of Tennessee. How long has it been unsafe?

Mr. HEMENWAY. Oh, well, I did not go into that.

Mr. GAINES of Tennessee. It has been "unsafe" for the last ten or twelve years, and yet they have continued to work in it.

Mr. DE ARMOND. Mr. Speaker, I would ask the gentleman from Indiana [Mr. HEMENWAY] whether the conferees on the part of the Senate explained in what particular the Maltby Building is unsafe or what caused it to be unsafe?

Mr. HEMENWAY. Mr. Speaker, the building has been condemned, I believe, by the building inspectors of the District, and is considered to be in a very unsafe condition.

Mr. DE ARMOND. When was it condemned?

Mr. HEMENWAY. I do not remember just when the building was condemned.

Mr. MADDOX. About two months ago.

Mr. HEMENWAY. I understand, though, within the last few months.

Mr. DE ARMOND. I understand that the unsafe condition, so far as it is unsafe, is due to the fact that the floors had been sagged down by having an unduly large number of employees of the Senate upon them. [Laughter.]

Mr. HEMENWAY. It is possible the gentleman from Missouri [Mr. DE ARMOMD] is correct. He is usually well informed.

Mr. DE ARMOND. I will ask another question. Could not the conferees, if they were to go back into conference, get the Senate to turn over to the House this unsafe Maltby Building? I believe that there are a good many Members here who are reckless enough to take their chances in there, if they could get quarters there.

Mr. HEMENWAY. I will say to the gentleman that for myself I would not want to accept the gift. Besides that, we are going to have a new building of our own.

Mr. DE ARMOND. Well, why not have both?

Mr. HEMENWAY. Our building is in course of construction and will provide the House with offices, and I would not want to accept the old building.

Mr. DE ARMOND. Would it not be better to have the new building and the old one also?

Mr. HEMENWAY. Mr. Speaker, I am in favor of maintaining the dignity of the House. I do not think we want the abandoned buildings of the Senate. [Laughter.]

Mr. DE ARMOND. Let me ask the gentleman whether it would not be better to risk in that dangerous place a few out of 386 men rather than a considerable number out of 90 men?

Mr. HEMENWAY. Well, as far as I am concerned, I do not want the House to have the Maltby Building. The Senate says it is unsafe, and they desire to move out of it and want to construct a new building. As I stated a moment ago, I urged as vigorously as I could that the building was unnecessary. Upon the other hand, the Senate say that it is necessary. Following the precedent of many, many years in questions where the comfort of either body is concerned, and offices for its members and committee rooms for its members are concerned, that each body has the right to determine that question for itself and take its chances before the country on that determination, the House, of course, receded.

Mr. DE ARMOND. I suppose the gentleman from Indiana still thinks that he was right in his original view, that it was unnecessary?

Mr. HEMENWAY. Why, if we had the Capitol extension, possibly, yes. I think the gentleman is mistaken about the limit of cost of the building which they propose to erect. The cost is

to be two millions and a quarter, the same as the building that we are erecting. I think, however, the building is rather extravagant.

Mr. DE ARMOND. And $750,000 for a site.

Mr. HEMENWAY. That amount is outside of the cost of the ground.

Mr. DE ARMOND. It makes a total of $3,000,000.

Mr. HEMENWAY. I think, possibly, it will cost three millions and a quarter, for I do not believe they can get that site for less than $750,000. I believe it cost us $750,000 to get our site.

Mr. DE ARMOND. I will ask the gentleman from Indiana one other question, and only one. Does not the gentleman believe that by the time this site is procured and this building erected and furnished to suit the gentlemen over there that it is likely to cost nearer five than three millions of dollars?

Mr. HEMENWAY. Of course I can not answer that question any better than the gentleman can himself.

Mr. DE ARMOND. Perhaps the gentleman has the same suspicions and fears about it that I have.

Mr. HEMENWAY. Oh, possibly.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to ask this question, whether or not it would be necessary to build an extension to the Capitol if we adopt this amendment and permit the Senate to erect their building? Will it be necessary to also build an extension to the Capitol?

Mr. HEMENWAY. I think so. The extension to the Capitol is for the official comfort of members. It furnishes the committee rooms that are necessary, and the gentleman can understand, being a busy Member of Congress himself, that a committee having important business must be quartered in the Capitol and could not very well be quartered in a building away from the Capitol.

Mr. STEPHENS of Texas. Can the gentleman inform us what this extension will probably cost?

Mr. HEMENWAY. No; it is pretty hard to say, because there are so many different plans of extension. Under the most expensive plan the expense would be about two and a quarter million dollars. That is the plan which extends the center of the building clear out beyond the House and Senate wings.

Mr. STEPHENS of Texas. It has been suggested that the Senate have a stable of their own down here near the B. and O. depot. Is that true?

Mr. HEMENWAY. The gentleman remembers that in turning the corner out here on the street-car line there is an old fire-engine building with a stable in connection, which belongs, as I understand, to the Senate—that is, it belongs to the Government and the Senate use it.

Mr. STEPHENS of Texas. Does not the gentleman think it would be proper and right for us to insist on the Maltby Building being turned over to the House, so that we can also have a stable? [Laughter.]

Mr. HEMENWAY. Oh, the House does not need any stable.

Mr. GAINES of Tennessee. Every member of the Senate, as I understand, has an office, some of those offices inside the Senate building and some outside. When they are outside, the Government pays rent for them. Now, why is it that Members of the House have not offices in which to transact the public business, but must pay out of their own pockets rent for offices downtown in which we transact public business?

Mr. HEMENWAY. The gentleman does not understand the situation at all. The Government does not pay rent for the Maltby Building. It owns the building.

Mr. GAINES of Tennessee. But the Government had to buy that building for the use of Senators, so that each Senator might have a committee room in which to do his committee work as well as his Senatorial work.

Mr. HEMENWAY. The House is providing as rapidly as possible a building in which each Member of the House will have an office.

Mr. GAINES of Tennessee. We ought to have it. We do more over here in one day than they do over there in a week. [Laughter and applause.]

Mr. HEMENWAY. I yield to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Is it not a fact that at the time the item for the office building for the House was put in the sundry civil bill, it was in the first instance stricken out by the Senate, but afterwards, in strict obedience to those precedents to which the gentleman has referred, it was put back?

Mr. HEMENWAY. That is my understanding. I yield three minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Speaker, I fully appreciate the embarrassment under which the conference committee on the part of the House labors in connection with the proposition to erect a building for the accommodation of Senators. I also fully appreciate that any protest that may be made against that building will probably prove ineffectual. Notwithstanding that fact, I wish to go on record as protesting against what I believe to be an unjustifiable expenditure of public money. I appreciate the fact that the Senate can exercise a discretion in connection with its own matters; but I appreciate the further fact that no money can be appropriated therefor unless the House joins therein.

Now, this proposition involves an expenditure of $2,250,000 for the building alone and $750,000 for the ground—$3,000,000 for the naked lot and building, without any furniture. My judgment is that a fair estimate as to the cost of the building when completed, with the convenience that Senators very properly desire, would be at least $3,500,000 or $4,000,000.

There are fifty Senators who now have committee rooms in this Capitol building. That leaves forty Senators to be provided for. Ten of those having committee rooms in this building have not very desirable rooms and ought to have better. So there are about fifty men to be provided with new accommodations. Everybody knows that the committee rooms are occupied by the chairmen for the purpose of doing their own private business, as well as the committee business, and very properly so. The result will be that when this building is complete, if it costs $4,000,000, it will cost the Government of the United States about $80,000 per Senator to house the Senators in offices, and in my judgment, Mr. Speaker, that is an unjustifiable expenditure of the public money. Twenty-five or thirty thousand dollars would buy better houses than most of the Senators now live in in the city of Washington, would furnish them with libraries and all the conveniences of life, and leave an ample sum besides to take care of the houses likewise.

I know that provision has been made for a similar building on the part of the House. I did not happen to be present when that passed the House. I desire now to say that in my judgment that expenditure on the part of the House was not justifiable or authorized. I do not believe that this House should expend from $13,000 to $14,000 per Member, as that probably will be when we are through, for the accommodation and convenience of the Members, because that sum will buy better houses than many men now live in in the city of Washington.

I do not expect this protest to amount to anything, but I merely desire to go on the record, so far as I am concerned, as protesting against it.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. LITTLEFIELD. Most certainly.

Mr. SLAYDEN. I should like to ask the gentleman from Maine if he does not believe that money would be saved to the Government and the conveniences of the Members increased if, instead of an extravagant building, to be extravagantly maintained—and it is a reasonable assumption that it will be extravagantly maintained, because all public buildings are—a slight monthly or annual increase in the compensation of Members were made, and let them get their offices where they please and where it would suit them best?

Mr. LITTLEFIELD. Well, the gentleman desires me to be frank, I suppose?

Mr. SLAYDEN. Certainly.

Mr. LITTLEFIELD. I do not think there are many Members now that hire offices or that are subjected to that expenditure. I do not think the large percentage of Members——

Mr. SLAYDEN. I think a great many do.

Mr. LITTLEFIELD. Well, it may be that a great many do. Yes, undoubtedly that would be less expensive and give the Government just exactly as good service, but this proposition, of course, has gone through. I simply wish to say that personally—and I do not expect it to go any farther than myself—I desire to be upon the record as saying that I am opposed to both these propositions, because I do not think they are justifiable.

Mr. ROBINSON of Indiana. Mr. Speaker, I do not want to interrupt in this matter now pending or be heard on that, but I wish to ask about amendment No. 152, if the gentleman will be so kind.

Mr. HEMENWAY. I shall be very glad to do so.

Mr. ROBINSON of Indiana. It seems that amendment No. 152 provided:

> That officers on the retired list of the Army serving as officers or employees of the National Home, or its Board of Managers, shall receive while so serving, in addition to their retired pay, a sum which added to such pay shall be equal to their pay in their grade on the active list.

The conference report shows that the conferees have receded from that Senate amendment, and, as I understand the result of that, it is that these two officers of the Soldiers' Home receive their usual pay as retired officers in the Army; that Colonel Knox receives as his retired pay $3,375, and in addition to that receives a salary from the Home of $3,000, making a total of $6,375 salary, and that the other officer, Major Harris, receives as his retired officer's pay $2,625, and that he receives from the Home $4,000, a total of $6,625. It seemed to me—and it was called to my atten-

tion by a gentleman who seems to be informed—that you have practically given more pay by receding from that Senate amendment.

Mr. HEMENWAY. I will say to the gentleman that upon first blush I was opposed to this amendment, but I found that this officer, according to the statement of the board in control of the National Homes, is a very important official, a man whose place it would be very hard to fill. He gives a bond for $100,000 and has to pay for that bond out of his salary. He has to reside in New York, and handles the money that goes to these different Homes, running into the thousands. He has great responsibilities, and when taking into consideration the amount he has to pay for a $100,000 bond, together with the fact that he has to reside in the city of New York, where living is very expensive, the House conferees thought the judgment of the board in charge of these Homes ought to be followed and that this officer ought to be permitted to continue.

Mr. ROBINSON of Indiana. But there are two officers. One receives $6,375 and the other $6,625 under this bill as now presented. The gentleman refers to one officer. These seem to be rather large salaries, where we had the opportunity presented by the Senate to cut this down to the amount that is usually paid under these circumstances, where retired officers fill active places, as is often the case.

Mr. HEMENWAY. The other officer also is compelled by his duties to reside in New York, and the board of control of the National Homes say that it would be very difficult to secure the services of a man so efficient as this man. He has been in the service a number of years and is very efficient. And let me say if we had agreed to this amendment and driven these men out of office their retired pay would have gone on just the same, and somebody else would have been employed to fill these places at just the same salary they are getting. The net result is that the Government would not have saved five cents, and we would have driven out of office two men that the board of control say they want and have compelled them to put in two other men. That is all there is of it.

Mr. ROBINSON of Indiana. Is the gentleman sure that they would not have served for the full pay of their rank as officers in the Army, as provided by the Senate bill?

Mr. HEMENWAY. They are. The board of control say that these gentlemen can not serve for that pay and furnish these bonds and live in the city of New York. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The gentleman from Indiana moves the adoption of the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let us have a division.

The House divided; and there were—ayes 140, noes 92.

Mr. DE ARMOND. The yeas and nays, Mr. Speaker.

The question was taken; and the yeas and nays were ordered.

LIGHT-HOUSE AND FOG SIGNAL AT DIAMOND SHOAL, NORTH CAROLINA.

The SPEAKER. Pending the call of the roll, if there be no objection, the Chair will lay before the House the following request of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *April 26, 1904.*

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The request of the Senate was complied with.

DAM ACROSS ROCK RIVER AT LYNDON, ILL.

By unanimous consent, change of reference was made of the bill (H. R. 15440) authorizing the construction of a dam across Rock River at Lyndon, Ill., from the Committee on Interstate and Foreign Commerce to the Committee on Rivers and Harbors.

SUNDRY CIVIL APPROPRIATION BILL.

The question was taken; and there were—yeas 139, nays 129, answered "present" 13, not voting 100; as follows:

YEAS—139.

Acheson,	Bradley,	Cooper, Pa.	Fordney,
Adams, Pa.	Brick,	Cousins,	Foss,
Alexander,	Brooks,	Currier,	Foster, Vt.
Allen,	Brown, Wis.	Curtis,	Fowler,
Ames,	Brownlow,	Dalzell,	Gaines, W. Va.
Babcock,	Burke,	Deemer,	Gardner, Mich.
Bartholdt,	Burkett,	Denny,	Gardner, N. J.
Bates,	Burleson,	Draper,	Gibson,
Beidler,	Burton,	Dresser,	Gillett, Mass.
Benton,	Butler, Pa.	Driscoll,	Graff,
Bingham,	Calderhead,	Dunwell,	Greene,
Birdsall,	Campbell,	Dwight,	Gregg,
Bishop,	Capron,	Esch,	Grosvenor,
Bonynge,	Cassel,	Evans,	Hamilton,
Boutell,	Castor,	Flack,	Haskins,
Hedge,	Lilley,	Olmsted,	Sperry,
Hemenway,	Livernash,	Otjen,	Stevens, Minn.
Henry, Conn.	Livingston,	Overstreet,	Sulloway,
Hepburn,	Longworth,	Palmer,	Talbott,
Hildebrant,	Loudenslager,	Patterson, Pa.	Tawney,
Hill, Conn.	Lovering,	Payne,	Thomas, Iowa
Hinshaw,	McCall,	Porter,	Van Voorhis,
Hitt,	McCleary, Minn.	Powers, Mass.	Volstead,
Hogg,	McLachlan,	Powers, Me.	Vreeland,
Howell, Utah	McMorran,	Reeder,	Wachter,
Hull,	Mahon,	Roberts,	Wadsworth,
Humphrey, Wash.	Mann,	Rodenberg,	Wanger,
Jackson, Md.	Marshall,	Scott,	Weems,
Jones, Wash.	Miller,	Shiras,	Wiley, N. J.
Kennedy,	Moon, Pa.	Smith, Ill.	Williamson,
Knopf,	Morgan,	Smith, Iowa	Wilson, Ill.
Kyle,	Morrell,	Smith, Samuel W.	Wright,
Lacey,	Mudd,	Smith, N. Y.	Wynn,
Lanning,	Murdock,	Smith, Pa.	Young.
Lawrence,	Needham,	Spalding,	

NAYS—129.

Adams, Wis.	Gaines, Tenn.	Littlefield,	Ryan,
Adamson,	Garber,	Lloyd,	Scarborough,
Baker,	Garner,	Loud,	Scudder,
Bankhead,	Gilbert,	Lucking,	Shackleford,
Bartlett,	Gillespie,	McAndrews,	Sheppard,
Bassett,	Goebel,	McCarthy,	Sherley,
Beall, Tex.	Goldfogle,	McCreary, Pa.	Shull,
Bell, Cal.	Granger,	McLain,	Sims,
Benny,	Hamlin,	McNary,	Slayden,
Bowers,	Hardwick,	Macon,	Small,
Bowersock,	Harrison,	Maddox,	Smith, Ky.
Brantley,	Haugen,	Maynard,	Smith, Tex.
Breazeale,	Henry, Tex.	Moon, Tenn.	Snook,
Broussard,	Hill, Miss.	Norris,	Southall,
Burnett,	Hopkins,	Padgett,	Southard,
Caldwell,	Houston,	Page,	Spight,
Candler,	Hughes, W. Va.	Patterson, N. C.	Stanley,
Cassingham,	Humphreys, Miss.	Patterson, Tenn.	Stephens, Tex.
Clark,	Jackson, Ohio	Perkins,	Swanson,
Clayton,	James,	Pierce,	Taylor,
Cockran, N. Y.	Jones, Va.	Pou,	Thayer,
Cooper, Wis.	Kehoe,	Pujo,	Thomas, N. C.
Cowherd,	Keliher,	Rainey,	Wallace,
De Armond,	Kitchin, Claude	Randell, Tex.	Webb,
Dickerman,	Kitchin, Wm. W.	Ransdell, La.	Wiley, Ala.
Dinsmore,	Kline,	Richardson, Ala.	Williams, Ill.
Dougherty,	Kluttz,	Richardson, Tenn.	Williams, Miss.
Douglas,	Lamar, Fla.	Rider,	Wilson, N. Y.
Field,	Lamb,	Rixey,	Woodyard,
Finley,	Lewis,	Robinson, Ark.	Zenor.
Fitzgerald,	Lind,	Robinson, Ind.	
Fitzpatrick,	Lindsay,	Rucker,	
Flood,	Little,	Russell,	

ANSWERED "PRESENT"—13.

Bede,	Jenkins,	Otis,	Townsend.
Brundidge,	Landis, Chas. B.	Ruppert,	
Dovener,	Meyer, La.	Steenerson,	
Hay,	Miers, Ind.	Sullivan, Mass.	

NOT VOTING—100.

Aiken,	Dixon,	Ketcham,	Robb,
Badger,	Emerich,	Kinkaid,	Robertson, La.
Bowie,	Foster, Ill.	Knapp,	Sherman,
Brandegee,	French,	Lafean,	Shober,
Brown, Pa.	Fuller,	Lamar, Mo.	Sibley,
Buckman,	Gardner, Mass.	Landis, Frederick	Slemp,
Burgess,	Gillet, N. Y.	Legare,	Smith, Wm. Alden
Burleigh,	Gillett, Cal.	Lester,	Snapp,
Butler, Mo.	Glass,	Lever,	Southwick,
Byrd,	Gooch,	Littauer,	Sparkman,
Cochran, Mo.	Goulden,	Lorimer,	Stafford,
Connell,	Griffith,	McDermott,	Sterling,
Conner,	Griggs,	Mahoney,	Sullivan, N. Y
Cooper, Tex.	Gudger,	Marsh,	Sulzer,
Cromer,	Hearst,	Martin,	Tate,
Crowley,	Hermann,	Metcalf,	Tirrell,
Crumpacker,	Hitchcock,	Minor,	Trimble,
Cushman,	Holliday,	Mondell,	Underwood,
Daniels,	Howard,	Nevin,	Vandiver,
Darragh,	Howell, N. J.	Parker,	Van Duzer,
Davey, La.	Huff,	Pearre,	Wade,
Davidson,	Hughes, N. J.	Pinckney,	Warner,
Davis, Fla.	Hunt,	Prince,	Warnock,
Davis, Minn.	Hunter,	Reid,	Watson,
Dayton,	Johnson,	Rhea,	Weisse.

So the conference report was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. CASSEL with Mr. GOOCH.

Mr. HUNTER with Mr. RHEA.

Mr. CHARLES B. LANDIS with Mr. TATE.

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

Until further notice:

Mr. DAVIDSON with Mr. SPARKMAN.

Mr. BUCKMAN with Mr. COCHRAN of Missouri.

Mr. DANIELS with Mr. WEISSE.

Mr. WM. ALDEN SMITH with Mr. SULLIVAN of New York.

Mr. FULLER with Mr. BYRD.

Mr. WARNER with Mr. LESTER.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. DOVENER with Mr. TRIMBLE.

Mr. HOLLIDAY with Mr. MIERS of Indiana.

Mr. LORIMER with Mr. MAHONEY.

Mr. WARNOCK with Mr. ROBB.
Mr. BEDE with Mr. BURGESS.
Mr. CRUMPACKER with Mr. COOPER of Texas.
Mr. BURLEIGH with Mr. HUNT.
Mr. METCALF with Mr. PINCKNEY.
For this day:
Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.
Mr. PEARRE with Mr. GRIGGS.
Mr. WATSON with Mr. LINDSAY.
Mr. KETCHAM with Mr. CROWLEY.
Mr. LITTAUER with Mr. MCDERMOTT.
Mr. GARDNER of Massachusetts with Mr. SHOBER.
Mr. DIXON with Mr. EMERICH.
Mr. FRENCH with Mr. LEVER.
Mr. PRINCE with Mr. REID.
Mr. GILLET of New York with Mr. BOWIE.
Mr. LAFEAN with Mr. HEARST.
Mr. NEVIN with Mr. LAMAR of Missouri.
On this vote:
Mr. MINOR with Mr. JOHNSON.
Mr. CUSHMAN with Mr. BRUNDIDGE.
Mr. FOWLER with Mr. HAY.
Mr. SOUTHWICK with Mr. BADGER.
Mr. JENKINS with Mr. ROBERTSON of Louisiana.
Mr. BRANDEGEE with Mr. UNDERWOOD.
Mr. DAVIS of Minnesota with Mr. AIKEN.
Mr. GILLETT of California with Mr. SULZER.
Mr. HERMANN with Mr. GLASS.
Mr. HOWELL of New Jersey with Mr. GUDGER.
Mr. KNAPP with Mr. HOWARD.
Mr. MARSH with Mr. HITCHCOCK.
Mr. MARTIN with Mr. HUGHES of New Jersey.
Mr. MONDELL with Mr. VANDIVER.
Mr. STERLING with Mr. VAN DUZER.
Until 2.30 p. m. to-day:
Mr. OTIS with Mr. GOULDEN.
For week:
Mr. CONNER with Mr. WADE.
For balance of session:
Mr. CROMER with Mr. GRIFFITH.
Mr. SIBLEY with Mr. DAVEY of Louisiana.
Mr. FREDERICK LANDIS with Mr. LEGARE.
Mr. SNAPP with Mr. FOSTER of Illinois.

Mr. CHARLES B. LANDIS. Mr. Speaker, I have a general pair with Mr. TATE, of Georgia, and my information was that he had returned, but I learn he has not, and therefore I desire to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

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

Mr. WACHTER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WACHTER. I ask unanimous consent to print remarks in the RECORD on the sundry civil bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent to print remarks in the RECORD upon the sundry civil bill. Is there objection? [A pause.] The Chair hears none.

Mr. DENNY. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection. [A pause.] The Chair hears none.

Mr. JAMES rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. JAMES. I just wanted to know what the gentleman wanted to extend remarks on.

The SPEAKER. On the sundry civil bill.

Mr. WACHTER. On the sundry civil bill in regard to the Baltimore custom-house.

Mr. JAMES. And there is no political matter or discussion involved in it?

Mr. WACHTER. No; there is no political matter involved in it at all.

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, as yesterday was District day under the rules, I gave way for the convenience of the House, and now I ask unanimous consent to submit two or three minor District matters.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to submit two or three District bills. Is there objection? [A pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. What is that, Mr. Speaker?

The SPEAKER. The gentleman from Wisconsin states that yesterday was District day and could not be used, and he now asks unanimous consent to submit two or three District bills for consideration,

Mr. WILLIAMS of Mississippi. Mr. Speaker, before that, what became of the unfinished business of yesterday?

The SPEAKER. The Chair will state to the gentleman that the Chair has not forgotten the matter to which the gentleman refers, but the Chair is informed that in a very few moments the post-office conference report will be here from the Senate, and the Chair desires to pass upon that before calling up the other matter.

Mr. WILLIAMS of Mississippi. Before ruling upon the point of order of yesterday. I have no objection to the Chair taking all the time he desires.

Mr. SMITH of Kentucky. Mr. Speaker, I desire to reserve the right to object to any one of these bills which the gentleman from Wisconsin offers.

Mr. TAWNEY. Mr. Speaker, I make the point of order that this is the legislative day of yesterday; and if yesterday was District day, under the rule the gentleman from Wisconsin can call up his bills as a matter of right.

The SPEAKER. The gentleman is correct. The Chair had overlooked the fact that this is the legislative day of Tuesday.

CHARTER TO GENERAL CONFEDERATION OF WOMEN'S CLUBS.

Mr. BABCOCK. Then, under the rule, I call up the following Senate bill.

The SPEAKER. The gentleman from Wisconsin calls up the following bill, which the Clerk will report.

The Clerk began the reading of the bill, as follows:

A bill (S. 5583) to amend an act entitled "An act granting a charter to the General Confederation of Women's Clubs," approved March 3, 1901.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate on joint resolution and bill of the following titles:

H. J. Res. 136. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers; and

H. R. 13521. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes.

CONFERENCE REPORT, POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET. Mr. Speaker, I call up the conference report on the post-office appropriation bill and ask unanimous consent that the reading of the report may be dispensed with and that the statement may be read in its stead, and in connection therewith I move that the House agree to the conference report.

The SPEAKER. The gentleman from Indiana calls up the conference report on the post-office appropriation bill and asks unanimous consent to dispense with the reading of the report and to read the statement in lieu thereof. Is there objection?

There was no objection.

The Clerk read the statement of the conferees, which, together with the conference report, is to be found in the RECORD of Monday, April 25, 1904.

Mr. OVERSTREET. Mr. Speaker, this report is a complete agreement on the part of the conferees, and its adoption will result in the passage of the bill, the conference report having been already agreed to by the Senate. The total amount of increases made by the amendments of the Senate aggregated $3,263,182. The Senate, however, receded from amendments which resulted in a decrease of that increase by $1,061,805, the House having agreed to the other increases, resulting in a net increase in the appropriations carried by the bill as finally agreed upon of $2,201,292. Of that amount of increase over the amount carried by the bill as it passed the House originally there is one item of $1,700,000, which is carried in order to meet the appropriation for a post-office site in the city of New York, and which is not chargeable to the postal revenue receipts. Therefore the net increase carried by the bill over the amount carried as it passed the House, which is chargeable against the postal revenues, is $501,292. Of this amount, $272,790 is in the item of increases for the Railway Mail Service.

Mr. TAWNEY. Mr. Speaker, right there I will ask the gentleman if he will permit an interruption?

The SPEAKER. Does the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. TAWNEY. I will ask the gentleman what the increase is in the number of railway postal clerks over the number provided for in the bill as it passed the House?

Mr. OVERSTREET. About 320 additional clerks.

Mr. TAWNEY. That is about 320 less than the Department originally provided for in the bill as it passed the Senate.

Mr. OVERSTREET. About that amount; but the bill carries an item of $50,000 for emergency purposes, to be expended by the Second Assistant to meet emergencies which may arise in the Railway Mail Service, so that without the emergency item or appropriation it would appear that there were not quite as many clerks provided for as estimated by the Department. With the item of emergency appropriation of $50,000, however, it makes quite a material difference.

Mr. TAWNEY. Does the gentleman care to state why the committee should not see fit to give the increase which the Department requested for the next fiscal year?

Mr. OVERSTREET. Oh, well, it is a 15 per cent increase. There is a prospective increase of only about 6 per cent in the volume of business, and the committee felt that in view of only a 6 per cent increase in volume of business an increase of 15 per cent in the employees for that service was not proper. We allow the Railway Mail Service an increase of about 11 per cent in employees.

Now, Mr. Speaker, there are two or three items to which I wish to call brief attention.

As to this one for the increase of the railway mail clerks, th committee feel that it will afford ample provision for the service during the next fiscal year.

The item of $45,000 for the Tahitian ocean mail appropriation is restored to the bill by a Senate amendment. This item has been in the appropriation bills for the last two fiscal years, and is carried on this bill in the same identical language with the same amount. The Pacific coast was greatly interested in this item; and the proposition having merit, as the committee believed it did have, and having been estimated for by the Department, the conferees felt justified in acceding to the demand of the Senate and accepted the amendment.

Fifty thousand dollars increase is made in the appropriation for the steamboat service. The provision for special agents or assistant superintendents in the salary and allowance division, seven in number, carrying approximately $25,000, was restored to the bill, being assented to by the conferees on the part of the House.

The remaining item to which I wish to direct special attention is the item of $1,700,000 for the post-office site in the city of New York. The House will remember that a commission, consisting of the Secretary of the Treasury, the Postmaster-General, and the Attorney-General, was authorized by the last Congress to examine into and select a site for a post-office building in the city of New York. That commission recommended a site at the terminal of the Pennsylvania Railway line in that city. The Secretary of the Treasury appeared before the conferees and strongly urged an appropriation to carry out that recommendation. The conferees, being persuaded that the postal facilities in that great city merit further appropriation at the hands of Congress, finally agreed substantially upon what the commission authorized by Congress have recommended.

We have therefore fixed the amount at $1,700,000, or so much thereof as may be necessary, to meet the requirements of the contract which has been submitted to Congress by the report of that commission. However, the conferees have provided that that expenditure shall be made out of the general fund of the Treasury and shall not be chargeable against the postal revenues.

We believed, Mr. Speaker, that this bill, carrying as it does a total of $172,000,000 and more—all except $1,700,000 being chargeable against the postal service—was too large an appropriation bill to warrant the conferees in being too insistent upon the exclusion of amendments which in themselves appear in all fairness to carry considerable justice and merit with them. We therefore submit this report, which upon adoption will pass the bill. I trust the House will adopt the report.

Mr. Speaker, I desire to yield to the gentleman from Tennessee [Mr. MOON] five minutes.

Mr. MOON of Tennessee. Mr. Speaker, it is not my purpose to criticise this bill in detail, though there are a great many of its provisions to which I would not agree primarily, yet it is a great bill, carrying $172,000,000—the largest bill of this kind yet reported to this House. It carries more money than ever was given heretofore to the Post-Office Department for its expenditure; necessarily so on account of the immense increase and extension of postal facilities.

It was impossible for the conferees of the House and the Senate to agree in detail upon this measure. Their consultations of course had to be in a spirit of compromise, as all legislation is. I think that the House conferees have perhaps yielded to the Senate more than they ought to have yielded in this conference; yet, for the purpose of settling the disagreeing votes, I have concurred with the conferees of the House and the Senate, except as to one or two items, to which I desire to call the attention of the House.

The House will remember that by a very decisive vote it struck from the bill the subsidy granted to the Oceanic Steamship Company for carrying the mails from the city of San Francisco to the island of Tahiti. The House conferees stood for a long time in support of the position of the House on that question. Finally two of the House conferees joined the Senate conferees. I concurred in the report of the conferees, dissenting alone from this proposition. I could very readily have concurred in it if it had involved merely a question of dollars and cents or a matter of mere policy, but, according to my ideas of government, the question involved in this proposition is one of principle and is fundamental. This is a pure gift—every dollar of it—to a steamship company. It is taking the money out of the public Treasury and giving it, by special provision of this appropriation bill, to corporations not able to come within the provisions of the general law, so as to be entitled to compensation for carrying the mail, because of the fact that they were not able to make either the time or the speed required by the statute in reference to the carrying of this mail.

Mr. GILBERT. What amount does it carry?

Mr. MOON of Tennessee. Forty-five thousand dollars. The amount is small, it is true, in comparison to the total in the bill, but if it is wrong in principle, it makes no difference whether it is $45,000 or $45,000,000. I think that a man who is conscientious upon these questions can not stand for wrong, whatever the amount involved may be. I believe, Mr. Speaker, that it will strike the sense of justice of this House as an outrage when it is stated and must be admitted, for it is a fact, that it costs the Government of the United States $6.40 for every pound of mail carried to that island, and, so far as we can see, without one dollar of return. Why this money should be given to this steamship company I am unable to determine. It is in line with the subsidies that have been given to the railroad companies. I believe it is time for the House to look a little to the interest of the people, and to quit giving away money to railroad companies and to steamphip companies without any commensurate returns.

I have felt that it was my duty to present these facts to the House, not merely because of my own views on the question, but because the House hitherto, on this very bill, has repudiated the suggestion now offered by the majority of the conferees in this particular matter, that you may determine what action you will take, if any, on this item.

[Here the hammer fell.]

Mr. OVERSTREET. Mr. Speaker, I want to yield to the gentlemen from New York [Mr. FITZGERALD] three minutes.

Mr. FITZGERALD. Mr. Speaker, the conference report contains a provision for the acquisition of a site for a post-office in New York City. As I favored the provision as inserted by the Senate, I desire to say something at this time in criticism of the change that has been made by the conference committee.

Some time ago a commission consisting of the Secretary of the Treasury, the Postmaster-General, and the Attorney-General was appointed, which recommended that a site be acquired for a post-office in New York at the terminal of the Pennsylvania Railroad, under conditions already stated in this House, consisting of 145,000 square feet, for $2,000,000. As I have already stated, I was heartily in favor of that recommendation.

By the report submitted by this conference committee the Government will get 100,000 square feet, about two-thirds of the area first available, at a cost of about $1,700,000; but the significant feature of this change is that while ostensibly it was made for the purpose of protecting the rights of the Government, in fact it will relieve the railroad company of taxation upon a large area of land, and it is not nearly so favorable to the Government as the offer originally and voluntarily made by the railroad company. The original proposition provided that the Government should get an inside tract, with a perpetual easement of light and air, over a tract 600 feet long on two streets and 40 feet deep, and some 575 feet long and 50 feet deep on another street. The fee of those tracts would have been in the railroad company, and the company would have paid taxes on it in the city of New York.

By the arrangement reported by the conference committee in order, apparently, to help the Government, it is provided that one-third of the available area originally offered by the railroad company shall be taken away; that the price be reduced only about one-sixth; that the fee be placed in the Government instead of the company, and that a perpetual easement be given to the company, and the company thereby relieved from taxation. I wish to call attention to this at this time because the original proposition was opposed very strenuously by one of my colleagues from the city of New York [Mr. DOUGLAS]. The result of that opposition, made in good faith, I believe, has been that the city of New York will secure one-third less available area for post-office and other purposes; it will be deprived of taxes upon property upon which the railroad company was willing to pay taxes; and it is the first time in my experience that Congress has been prevented from do-

ing that which it was willing to do for a locality because of the opposition of one of the Representatives from that locality, based on the ground that the Government was about to do too much for the locality.

As my Democratic colleagues and myself were heartily in favor of the original plan, would take it now if it could be had, and are content to accept the substitute provision because it is the best that can be had, I shall be content with this brief statement of my position.

Mr. OVERSTREET. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. I want to suggest to my colleague that on an amendment that I introduced in the House the Tahiti subsidy was stricken out, and I should now like to have ten minutes.

Mr. OVERSTREET. Let the gentleman proceed for five minutes, and then we will see how he gets along.

Mr. ROBINSON of Indiana. Mr. Speaker, the gentleman from Tennessee [Mr. MOON] is right in his opposition to this Tahiti ocean mail subsidy. It is indefensible. It has not the Post-Office Department sanction. It is vicious in principle, and it has the express disapproval of the House in Committee of the Whole, where by a pronounced vote by tellers it was rejected.

This is its real status as viewed from a departmental and House standpoint.

It stands here with only a Senate indorsement, with two Members in conference agreeing to it and with an express dissent from the gentleman from Tennessee, one of the three House conferees.

Let us see what standing it should have as a matter of principle or policy.

This Tahiti subsidy involves in its broad view the payment of $30,000 subsidy to the Spreckels Oceanic Steamship Company out of the French colonial treasury and the additional subsidy of $45,000 out of the United States Treasury.

Prior to November 1, 1900, this service was performed by French steamers at a cost to the Department of about $400 a year, and on that date the company took up the service with American registered steamers, which increased the cost to about $1,150. Under the appropriation by Congress fixing the compensation at $1 per mile, the cost of the service has increased to $42,120 per annum.

Until two years ago it was not sent to Congress by the Postmaster-General, for the reason that the Government had been having its mails carried from San Francisco to Tahiti for $350 a year, and this contract with schooners comprised twelve trips a year, instead of ten given by the steamship company, and was said to be a very good service, although a little longer than by steam. Four years ago there was inserted in the general appropriation bill for the Post-Office Department an item of $45,000 for carrying the mails from San Francisco to Tahiti.

Let me throw some light on this matter, borne out by the record.

The council of the French colony on March 9, 1900, awarded a contract to the company to run for a period of five years from November 1, 1900, or until 1905. For this service the French subsidy of $30,000 was to be paid, and has since then been paid to that company for carrying this mail. This information is imparted by the report of the United States consul, J. Lamb Doty, of date March 10, 1900.

Under this contract made by a perfectly competent company it bound itself to carry and did carry this mail for the French subsidy and without an American subsidy. This it did for a while without a justification or hope for a subsidy from the United States Treasury. With this service carried to that French colony by the support of a French subsidy we come to the strange and unusual proceedings which involve Congress into a covert, unjustifiable, and, in one sense, an unlawful course. A Congressional subsidy of $45,000 was first granted to operate from July 1, 1901. This postal service was before that date in operation and bound by contract between the French and the steamship company, and free from a United States subsidy support. The contract was made, the bond given, the service inaugurated.

It can not be said that the Oceanic Steamship Company anticipated that Congress would either knowingly or unknowingly, secretly or in the open, pass a United States subsidy bill for their aid, when the contract was closed and the service guaranteed thereby till November 1, 1905. In 1901, to take effect July 1 of that year, this subsidy first appears in the Congressional proceedings. Prior to that this Oceanic Steamship Company had done this same work for the charge of $1,150 to the United States Treasury, as shown by the official statement of J. J. McCardy, Auditor of the Post-Office Department, of date, March 19, 1904. It is proper to say, in view of all the light that has been recently flooded on this question, that Members of Congress did not have a syllable of hearings to inform us, or a syllable of discussion in either House, and that Congress was not informed and has not been informed on that provision, which slipped through without notice. It came to Congress without the request or indorsement of the Post-Office Department. It was a strange and unusual proceeding, carried through in a strange, secret, and unusual manner.

The act of March 3, 1891, entitled "An act to provide ocean mail service between the United States and foreign ports," etc., provides that—

> The Postmaster-General is authorized * * * to enter into contracts * * * not less than five nor more than ten years in duration to carry ocean mail between ports of the United States and foreign ports. * * * Said contracts shall be made with the lowest responsible bidder—
>
> And—
>
> The Postmaster-General shall have the right to reject all bids not, in his opinion, reasonable for the attaining of the purpose named.
>
> And—
>
> Before making any contract for carrying ocean mails * * * the Postmaster-General shall give public notice by advertising once a week for three months—
>
> In daily papers of eleven of the large seaport cities.
>
> And when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland.

This is a subsidy forced on the Post-Office Department against principle, standing law, good policy, and good administration. I give credit to that great business department for its refusal—for steadfastly refusing—to give its approval to this proposition. It will not do to say that after Congress without consideration forced this $45,000 subsidy on that Department in 1901, it since has followed the pro forma rule of sending its estimates to Congress.

It is not too late to remedy the evil. This proposition is not of long standing. It has not the force of precedent or the strength of antiquity behind it.

The Postmaster-General never advertised for this service, thus opening it to bidders and competition. He has not had the opportunity to safeguard the public service by the power to reject all bids if they did not comport with the policy of the general law. The first year this subsidy was forced on the Department by Congress.

The following year the item was again inserted, and again it went through, although the Post-Office Department had not asked for it, and seemed perfectly satisfied with the service that had been given by the sailing vessels at $350 a year.

But this saving to the Government of the difference between $350 and $45,000 a year did not seem to appeal with force to the Members of Congress who passed the appropriation. Evidently no one east of the Pacific coast knew of it. Certainly no one by hearings, report, or discussion mentioned it in either House. So when it had gone on for two years and the Post-Office Department had grown used to its insertion, the Department entered the estimate.

We have this light from an authoritative source, in a letter to my colleague from Indiana [Mr. CROMER]. This is what the Auditor says:

> TREASURY DEPARTMENT,
> OFFICE OF AUDITOR FOR THE POST-OFFICE DEPARTMENT,
> *Washington, March 19, 1904.*
>
> SIR: In reply to your verbal inquiry of this morning relative to the comparative cost of foreign mail service between the port of San Francisco and the French colony of Tahiti, Society Islands, during the fiscal years ending June 30, 1902, and June 30, 1903, I have the honor to submit the following statement:
>
> YEAR ENDING JUNE 30, 1902.
>
> Weight of mails dispatched during that year, 347½ pounds of letter mail, 5,587½ pounds of prints. The cost of transporting these mails in American registered vessels under section 4003, Revised Statutes, would be $1,002.90, and if conveyed in foreign registered vessels the cost would be $396.58. The actual cost, however, for the conveyance of the mails in question by the Oceanic Steamship Company, under the appropriation by Congress, at $1 per mile for each outward trip, was $37,908.
>
> YEAR ENDING JUNE 30, 1903.
>
> Weight of mails dispatched during that year, 423 pounds of letter mail, 5,988 pounds of prints. The cost of transporting these mails in American registered vessels, under section 4009, Revised Statutes, would be $1,155.87, and if conveyed in foreign registered vessels the cost would be $447.19. The actual cost, however, for the conveyance of the mails in question by the Oceanic Steamship Company, under the appropriation by Congress, at $1 per mile for each outward trip, was $42,120.

For whom and for what has Congress been inveigled into this most extraordinary provision? No one can question the efficiency of the service furnished—the character of vessels plying across the Pacific—but is the United States Treasury to be charged with its support? Among other points in the report of 1900 of the United States consul at Tahiti we find these:

> During the extraordinary session of the general council of this colony, which was convened yesterday for the purpose, a contract was awarded to the Oceanic Steamship Company, of San Francisco, for the establishment of a steamship line between Tahiti and San Francisco for the transportation of mails, passengers, and freight.
>
> The essential features of the contract are as follows: For the annual sum of 156,000 francs ($30,000 in United States gold), to be paid by the Tahiti government, and exemption from port charges, the Oceanic Steamship Company is to operate an American steamship of about 3,000 tons gross register, performing eleven round trips per annum at an average speed of not less than 13½ knots. The contract is awarded for a period of five years from the first voyage, which is to be made not later than November 1, 1900, and earlier if possible.

* * * * * * *

It may be predicted that if the Oceanic Steamship Company continues in this business for five years the trade between the United States and Tahiti will not only experience a great extension, but that the proportion of value will increase from 50 to 75 per cent.

The Union Steamship Company (British), of New Zealand, which now operates a steamer between Tahiti and Auckland, has for some time past desired to extend its service through to San Francisco; and, indeed, at this moment it has a proposition before the local government offering to perform the service for an annual subsidy of $50,000.

J. LAMB DOTY, *Consul.*

TAHITI, *March 10, 1900.*

In this connection I refer to a part of Mr. Spreckles's letter, which was read during the Senate discussion and which is not entirely in accord, as I understand it, with the statements of the consul and the Auditor of the Post-Office Department as to the time this company commenced to render this postal service.

SAN FRANCISCO, CAL., *March 29, 1904.*

HON. GEORGE C. PERKINS,
United States Senate, Washington, D. C.:

When the time matter came up of advertising under postal act of March 3, 1891, for carrying mails to Australia, it was practically agreed between chairman of the House Committee on the Post-Office and Post-Roads, myself, and Postmaster-General Smith that Tahiti route should also be advertised, and acting under that assurance we entered into contract with French Government Tahiti to establish steam communication with their colony. For some reason which I never learned, instead of advertising this route as agreed, Department called for appropriation of forty-five thousand—equal to what we would have received had we bid for service under postal act.

According to J. J. McCardy the "Oceanic Steamship Company took up the service with American registered steamers" November 1, 1900. The postal act referred to in the letter became a law March 3, 1901.

All this was to ensue from the promotion by a French subsidy with no American subsidy, and as trade increased it is plain that the need of a French subsidy so far disappears. I might say, in passing, that under date of letter of March 29, 1904, Mr. John D. Spreckles does not say that the mail service will be discontinued by a withholding of this gratuity. It is claimed that $200,000 of trade has been secured by this questionable subsidy secured in this secret and questionable manner.

Is not this company thus subsidized ready to surrender this gratuity and repudiate this paternalism and content itself with the profit arising from this increased trade, fostered in its infancy and now grown to such magnificent proportions by a subsidy of 25 per cent of the increased trade?

This was the trade prediction of 1900 by our consul. Was this subsidy to promote trade? Has the trade come as promised and as stated? If so, discontinue, in justice, the bounty; if not, make haste to avoid the folly. The Post-Office Department is not responsible for it, but Congress is. Forty-five thousand dollars as subsidy for carrying mail or trade to Tahiti, a French island 400 square miles in extent and of 12,000 people, 3,700 nautical miles from San Francisco, with the trade showing, presents the transparency of the whole proposition.

Reduced to another phase as it concerns postal facilities, this situation is presented:

For the fiscal year 1903 the weight of the mails carried between San Francisco and Tahiti was as follows:

Letters and cards, 423 pounds; other mail matter, 5,988 pounds; total, 6,411 pounds.

On this amount of mail the United States collected inland and sea postage to the amount of $1,155.84. It paid the Oceanic Steamship Company $42,120 for carrying this mail matter to Tahiti. The excess of cost to the Government was, therefore, $40,964.16.

In order to bring this down to still plainer figures it is only necessary to show that, in paying this steamship company $42,120 for the ten trips of the year, during which the company transported a total of 6,411 pounds of mail, the Government paid for that service at the rate of $6.50 a pound. The schooners which formerly had the job were loath to lose it at the small figure of $350 a year, which was less than 6 cents per pound, estimating the weight of the mails at the figures given above for 1903.

Let us see what a leading Republican paper of the country says on this point. I quote from an editorial comment from the Indianapolis News:

The House of Representatives did well yesterday to strike out the appropriation of $45,000 for carrying the mails between this country and Tahiti. Tahiti is an island in the Pacific, belonging to France, with an area of about 400 square miles and a population of not more than 12,000. The idea that we should pay for mail service an amount equal to more than 10 per cent of our total trade seems preposterous. The question is not one of getting the mails carried—for that will be tended to as it has been in the past—but of paying an exorbitant price to one line of steamships for work that can be done and has been done much more cheaply by others. In other words, what the House decided was that it was, in this case at least, opposed to the subsidy principle, and it doubtless decided wisely.

The SPEAKER pro tempore (Mr. HEPBURN). The time of the gentleman has expired.

Mr. OVERSTREET. I yield five minutes more to the gentleman.

Mr. ROBINSON of Indiana. Mr. Speaker, we now come to the parliamentary situation of the question and the form in which this matter comes up and why we are thus involved in it.

The passage of the bill is not involved. It comes here on a conference report, which, under the hard and fast procedure of the House, turns awry our power as a House and yields legislation to conferees unless we are guarded.

We sent this proposition to our accredited conferees, relying, implicitly relying, upon the idea that they would be faithful and fair and make it their first duty to sustain the power and dignity of the House that created the conferees. We had voted this proposition down before we turned our interests to conferees. They were charged with preserving our rights and our sentiments. For some reason, when disagreement in conference came, our accredited conferees did not show us the poor privilege of expressing our sentiments.

This was a clear departure from the fair rules of conference. We were not denied our rights or deprived of our powers on the military bill or the naval bill, and I submit the House Members owe it to themselves, individually and collectively, to guard their rights and not surrender to conference. Under the rules, the only course is now adopted that can be availed of.

We are confronted with difficulties almost insurmountable in the hurry and lack of time incident to near adjournment, when these conference reports usually come in.

This matter brought in this form presents to the House the vital importance of scanning every feature of our procedure that may lead to usurpation of our powers or surrenders of a serious nature.

If we strictly conform to the rules governing the two Houses we will find that each has its full power under the right of amendment that will fairly secure the sentiment of each branch of Congress. No complaint can be made of the full and free exercise of this independent power by each House, but when we come to conference between the two Houses we must be guarded.

The House conferees are our long-term Members, and by their long service have gained such position at the head of the respective committees as makes them the proper ones to be on conference committees. No one should impugn their motives or reflect upon their actions, nor, indeed, can this be done successfully unless the record bears out the statement.

The House itself is largely responsible for an inimical custom that has grown up of legislating in conference. With this and the legislative difficulties that surround us when we attempt to separate germane and appropriate provisions ingrafted in conference from those not proper or within disagreeing votes of the two Houses, we are confronted with difficulties; but a lack of fidelity in returning to the branch that creates for instruction is no less dangerous.

The conferees are the trusted agents of the two Houses of Congress. We clothe our conferees with an agency to represent us, but their rights as such and their duties to us are circumscribed and limited. If the conferees are faithful and fair to us under the strict rules governing them, they add to the efficient machinery of the House procedure. If, on the contrary, they take to themselves independent legislation, if they wander away from their strict duties, as too many times is done, they multiply our labor, keep us ever watchful, and throw us all into confusion and embarrassment.

This evil has grown up and been tolerated, not because it was right, not because it is not universally condemned as unsafe and dangerous, but because of the difficulty of detecting the new provisions inserted in legislation or a failure to return to us for action on matters of sharp disagreement in conference. One word may change the whole import of a provision. The rules of conference are of themselves broad enough to lead to danger even if carefully observed, but when conferees wander in the slightest degree away from them and the House permits it, we lose our representative character, we abdicate our legislative function, and the result is unconsidered, undigested, and changed legislation without our sanction in fact, though it may be in form.

Are conferees to reflect their own opinions or are they our constituted agents to reflect the voice of the House? If they are not to reflect our views, we better surrender our prerogatives and reserve to ourselves a right to assemble in the House of Representatives late in the session and confirm the action of a few conference committees appointed early in the session.

If the House conferees had any authority under any rule to legislate for the House when the House had expressly and specifically voted contrary to the proposition they now bring in, they should have a better excuse than is presented, that conference is compromise. They may say in excuse or extenuation that they followed a custom that has grown up. To this I say it is a dangerous expedient that belittles the House membership, surrenders our control over our own proceedings without our consent in advance, usurps our province, and tends ultimately to the destruction of the dignity and integrity of our proceedings.

Our conferees in this case should have said, "We will not sub-

mit, and never will submit," which would have been welcome news to this House; but instead of that they come here with the word "surrender," surrender to the other body upon a proposition that we had already voted down. I say that they should have come to us with explanations of situations and conditions, and given this House an opportunity to assert the full power of its legislative vote.

And we ask you, then, by voting down this conference, not to stand in the way of the bill, but to avail of the only means presented by the parliamentary status. This bill will be passed within a few hours, but we ask you to send it back and tell our conferees that they shall not usurp the functions of the House of Representatives; that they shall stand by the vote with which we sent them out; that they shall stand for the dignity of the House position and not shear us of our power as individuals and House Members. Unless the House takes to itself the powers that it possesses, and if the House surrender these powers to its conferees, when will we have a chance to vote our sentiments on this Tahiti proposition and have them respected by our conferees? This is the question, Whether the House shall maintain its dignity or whether the House shall be deprived of its powers by a system of usurpation on the part of conferees dangerous to the integrity and force and the strength of the House proceedings?

Mr. Speaker, if this proposition can not be acted on successfully this way, with the Post-Office Department standing against the subsidy, with every consideration of right policy against it, with every consideration of the House proceedings being kept inviolate by our agents, the conferees, where is power of legislation to be preserved? I ask the House to vote down this report, so that in a few hours it may come here as we sent it to the conferees, stripped of this ocean-mail subsidy. [Applause.]

Mr. OVERSTREET. Mr. Speaker, I now yield five minutes to the gentleman from California [Mr. GILLETT].

Mr. GILLETT of California. Mr. Speaker, coming from the Pacific coast, where we have so much and get but little, I can not concur in the argument just made by the gentleman from Indiana and the gentleman from Tennessee.

In March, 1891, Congress, realizing the necessity for advancing our commerce, saw fit to pass an act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce." It has been the policy of this Government from the very beginning to encourage our commerce wherever it can be encouraged. It will always continue to be the policy of our country, and it seems to me now that the argument made by the gentlemen seems to strike at the very principle for which in the past we have been contending. From 1870 up to 1900 the French Government tried to maintain and keep up a mail service between San Francisco and the Tahiti Islands by means of sailing vessels, paying therefor about 75,000 francs a year.

In 1900, this having failed, the merchants of San Francisco, being alive to the necessity of the commerce of the Pacific Ocean, themselves endeavored to maintain this mail service by the use of steam schooners, and then, as the project failed, the Spreckels Company, representing some of the best business men of our coast—men who are anxious to build up the commerce of the Pacific Ocean—constructed three magnificent steamers, the *Sierra*, the *Sonoma*, and the *Ventura*, each having about 6,200 tonnage. They entered into an arrangement, it is true, with France for the carrying of this mail. They have entered into an arrangement with the United States Government for carrying this mail.

It might be true that the amount of money paid would be in excess of what it would be worth to carry the mail, but still, notwithstanding that, there is a motive higher than that which controls the merit of this appropriation; it is for the development and upbuilding of the commerce of the Pacific Ocean. It is for the purpose of encouraging our ships to go to the islands in the South Pacific Ocean and to distant foreign lands carrying our commerce there that we desire that this amount of money should be paid. The fact that steamers make regular trips, the fact that our flag every month is seen at those shores, the fact that they deal with our people and we are dealing with them, the fact that our commerce is steadily increasing shows the good judgment of this Congress in allowing for the two years last past this amount of money. Now, the act of March 3, 1891, provides that these ships shall carry a cadet at their expense, who shall be trained in seamanship for the service of the United States.

These vessels already are carrying these cadets, training young men for service when their service shall be needed. Further than this, if the Oceanic Steamship Company accepts the money from the United States under this act which it provides for, the United States Government has a right to take in time of war these three magnificent ships for transports in her service. This appropriation is of great value to the Pacific Ocean, soon to be, as it is fast becoming, the scene of the great commerce of the world. We are sending our ships to the Orient. These vessels go to New Zealand, Australia, Honolulu, to the Society Islands, to Tahiti, carrying there our commerce, taking there our citizens, introducing our products of the factory and of the farm; and I say that this amount of money is a small amount to encourage commerce of this kind.

I trust that the Members of the House will do as they have done in the past two years and vote this appropriation, because, in my judgment, it is money well expended. [Applause.]

Mr. DOUGLAS. Mr. Speaker, I beg to say I accept in good faith the report of the conferees, and am pleased the passage to-day of the post-office and post-roads bill in the House settles the question regarding postal facilities in New York City at the terminals of the New York Central and Pennsylvania railroads in a way that will at least benefit our city to some considerable extent. We had a very exhaustive hearing April 19, and these gentlemen carefully considered the problem, and have beyond doubt acted as they considered for the best. As these substations will not be ready, however, under four to six years, immediate relief will not be brought about, and we will have to look to a somewhat indefinite future.

There is very much yet to be accomplished to bring about what all our business men and residents desire—that is, a quick and prompt delivery of local and through mails to our own people. It is well understood the providing of these additional facilities are mostly to care for the through mail service, mails coming in and going out over the railroads, and largely not intended for our own citizens, probably about 70 per cent of the total going west or east, north or south, to Europe, the Orient, and all other parts of the world, mails which are not sorted in New York City, this being done at the place of dispatch, or in transit; and the mail bags are never opened in our city.

We should now all work for the real solution of the prompt delivery of our letters by forcing the authorities to give us a complete tube or other similar system which will connect all our branch stations, and which, I am glad to say, is being done to some extent already; and I might add that the expenditure of half what we will likely put out on the Pennsylvania site would give us a delivery heretofore not dreamed of for quickness.

I would now refer to the final report of the conferees, which, I am pleased to say, confirms the absolute correctness of my views in a large measure, as is shown by their adoption by the committee, and the selection of the smaller space, or 100,000 square feet, at the Pennsylvania terminal, as against 145,000 square feet; also requiring that said company grant to the Government the fee to the entire property, including the street line and the inner court. The securing of the fee to the Government was one of the main features which I have so strongly advocated and stood for.

The report calls for the payment for the lesser site of not exceeding $1,700,000. The exact offer of the Pennsylvania Company, I understand, is $1,666,085, or only a reduction of, say, $334,000. If we deduct one-third from $2,000,000 it leaves $1,333,334, and even admitting, for the sake of argument, that the extra percentage for the value of ground would be somewhat higher for the smaller space, as claimed by the company, the Government having taken the Eighth avenue front, it does not seem that the railroad company should have asked over $1,500,000 at a maximum; and I am therefore extremely disappointed at this feature of the case.

As, however, it is still a question of bargain, I certainly trust the Government officials who have this matter under their care will do their utmost to force the company to make a large reduction from the maximum named in the bill; so great are the advantages the railroad people secure, they can undoubtedly afford to be very liberal and still have by far the best of the bargain.

As regards the wording of the clause pertaining to the lease at the New York Central it would, I believe, have been far better to have accepted the Senate's provisions and to have had an appraisement based on the exact space finally secured by the Government (which should not be less than 100,000 square feet), and also according to the position of the building in which the space is provided; and again, as previously stated, whether that space is on the first or second floor or partly on two floors. As the matter now stands it is left entirely to the Postmaster-General, and we can only trust that he will be equal to the occasion and force a proper bargain.

It is therefore most satisfactory to feel that the light and information I obtained and gave to Congress and the different conferences held has safeguarded Government interest and ownership, which was being woefully overlooked, besides saving probably at least fifteen to twenty thousand dollars yearly at the New York Central site and likely five to six millions of dollars at the Pennsylvania site, as I would state that it has been practically decided to abandon the original idea of placing on so undesirable a piece of land, and so badly situated for real post-office requirements, a large and expensive building, and it is proposed to substitute a two or three story edifice instead, at a cost not exceeding, say, two

to two and one-half millions of dollars, to be used as a workshop or distributing center, with a large open space for convenience of clerks, etc., which is all that is required there; and this is frankly admitted by the post-office officials and the experts who have given the matter attention and been consulted.

It seems desirable for me to make clear and correct the false impressions which appear in some way to have become current that I have been opposed to or ever directly or indirectly have endeavored in any way to frustrate the securing of adequate or justifiable quarters at or near these terminals, and no evidence can be produced to controvert this statement, which I wish to make most positive. My public remarks on the subject March 14, published in the CONGRESSIONAL RECORD March 17, at which time I printed a map of the proposed Pennsylvania site, also my further statements, which can be found in the RECORD under date or March 18 and 22, as well as the remarks before the Committee on Appropriations of the House March 2 and the conferees of the House and Senate April 19 and elsewhere, will wholly bear me out in this assertion.

What I have endeavored to accomplish has been on the lines not of prevention, but of protection in making the necessary arrangements, so that if we decided to do anything with the Pennsylvania Railroad, as they were endeavoring to grasp all they could get, the committee in charge, being posted, would on their part be alert, and it is now frankly admitted by those who know that if this had not been done a decided advantage would have rested with the railroad interests in these negotiations.

As a matter of personal moment, I wish to say to the House, also insert in the RECORD and make plain to the public, and I state it with regret, that at least two-thirds of all that has appeared in the public print about my position in this matter has been absolutely false and my views and actions persistently misstated. One New York paper, the New York Herald, has been especially unfair, has not even published the map showing what New York City was to get, or given a line of explanation as to the real issue to enlighten the public; but confined itself to finding fault with anyone who preferred to give details.

When in New York quietly looking after personal business they stated I was working night and day to defeat relief for New York. It was said I was endeavoring to stir up a sentiment against New York in the Senate, acting with Senators I have never spoken to in my life.

April 22 they published on the first page, in large letters, "New York City wins postal relief; battle won by the persistent work of the Herald;" stated the larger site was to be taken, when the conferees had agreed to the contrary, and omitted to say a word about the fee now resting with the Government. They add no further serious opposition could be made by myself, when they knew positively, if the report of the committee that met April 5 at the Shoreham Hotel was adopted, I was a party to said agreement; but these facts did not deter me a moment from carrying out what I considered my duty in this matter, and I have no doubt the justice of these remarks will be recognized and appreciated by the public and all who are conversant with the true issues involved.

On the 22d of March I succeeded in having an amendment inserted in the post-office and post-roads bill, empowering the Postmaster-General to lease for a period of twenty-five years such space as might be required at the Pennsylvania terminal at a rental not exceeding $75,000 per annum. This bill also carried the provision to lease at the New York Central terminal at not exceeding $90,000 per annum. The intent and object of the amendment was fully explained at the time. It was a good business proposition, and was based on sound and fair judgment, and I regret that the Senate committee did not give it greater consideration.

I saw Postmaster-General Payne before offering the amendment (also others), and he stated to me that he would be glad to have this authority, and personally believed that it would be a proper solution of the question and effect a large saving to the Government if it could be arranged, and that he would use his utmost endeavors to that end if Congress saw fit to authorize. I wish to add, however, in justice to this gentleman, so that I do not misstate the position, that he frankly told me he was not hopeful of securing a lease from the railroad, and he did not believe they would consider the proposal; but it is to be regretted that the effort could not have been made, and it was necessary to lay this solution aside as impractical.

As finally agreed, it seems likely that the acceptance of the purchase plan, even with the lesser space, will entail an expenditure for ground and building of at least $4,000,000, which at 3 per cent equals $120,000; and the expense of running this large plant, over the rental proposal, estimating the extra cost at $50,000 per annum, makes $170,000, against, say, $70,000 to $75,000 if we could have leased; or practically even now the extra cost will likely figure out to the Government approximately $100,000 each year. I would call attention to the fact that the area is about 400 feet by 325 feet, which will give an extremely large building.

In the sundry civil bill, I understand, the New York Senators had inserted an amendment to buy the larger Pennsylvania site at $2,000,000, the House Committee on Appropriations having declined to place this provision in their bill when reported. A full hearing was held March 2—details printed in my remarks of March 14—at which meeting practically the entire New York delegation was present, including Senator DEPEW, who spoke in favor of the acceptance of the first Pennsylvania Railroad proposal, and he later advocated the same strongly on the floor of the Senate, which offer, however, has since been rejected and amended, according to my recommendation, for Government protection, as already explained.

I would further state that the original Pennsylvania proposition was rejected last year by the conferees of both Houses when considering the appropriation bill, which shows the persistence of the railroad people in forcing their project, and it is a matter of congratulation that they did not succeed.

It was at this stage of the proceedings that a very clever manipulation of affairs was accomplished against my protest, and the Committee on Post-Office and Post-Roads in the Senate, under the inception of Senator QUAY, of Pennsylvania, I understand, and Senator DEPEW, and without any hearing by others, struck out the lease proposition at the Pennsylvania site as put in by the House, after a full discussion—at which time, I might say, Representatives FITZGERALD, of New York, and SIBLEY, of Pennsylvania, both spoke in favor of the lease as against the purchase proposition, also others—and inserted the same old proposal to pay $2,000,000 for a site at said terminal.

This was done as it was well known the Appropriation Committee of the House was against the measure unless important changes were agreed to, and to place the measure presumably before a committee more favorable and of which Senator PENROSE, of Pennsylvania, was chairman, it also being probably thought that this committee in the House might also look upon matters somewhat more favorably.

What I have consistently opposed, and I am glad to think successfully in part, was the purchase of the Pennsylvania site with the idea of erecting thereon a great central post-office and public building at a cost of probably ten to twelve millions or more, and everything I have said as to the objectionable features of the site for such a purpose, the out-of-the-way location, the impossibility of treating the plot architecturally or otherwise to advantage, for reasons which are given in this statement, I stand by and can not make my remarks too strong. It would have been a great injustice to the Government and a sad lack of judgment and of no practical benefit to the population.

The wisdom of taking even the smaller area from the railroad for a workshop and substation at the high price to be paid and practically entering into partnership with railroad interests in land is an open question, although there may be some advantages which will be gained.

I took occasion, however, to point out carefully to the conferees for their consideration, that they could probably buy, or condemn if necessary, land on Thirty-first street between Eighth and Ninth avenues, running south toward Thirtieth street, and tunnel under Thirty-first street which is only a distance of some 60 or 70 feet, and thus secure their track connection with the Pennsylvania Railroad, placing the cars thereby under their own building, and this could have been unquestionably done at a far less expense than will be incurred.

Estimating the ground as worth $20,000 for lots 25 by 100 feet, the Government could have secured, say, 100,000 square feet of space for $400,000, and allowing for an inner court, say $50,000, would have made a total of $450,000, and there would have then been no question as to fee to the property or cellar accommodations, and the saving of large amounts which the present site will entail by reason of pillars going down 40 feet to erect the building upon, etc., and in all probability a workshop could have been placed there to meet all requirements at certainly $1,000,000; but railroad interests, especially the Pennsylvania, are supreme and all powerful.

On the 27th of March I received an invitation to present my views to a committee of the Merchants' Association appointed to look into the matter, and a conference was held in New York at their rooms on Tuesday, March 29. The issue was discussed and the committee were practically agreed that the facts placed before them by me were in order and correct. It was therefore decided to endeavor to adjust and reach an understanding, if possible, by arranging a joint meeting of the various interests, including representatives of the Pennsylvania Railroad, and such meeting was brought about by the association, the conference being held in Washington on Tuesday, April 5, at the Shoreham Hotel, lasting several hours.

Those present who took an active part are named in the report

adopted. Secretary Shaw was present, representing the ex-commission and the Postmaster-General, who was unable to attend on account of sickness. I desire at this point to express my thanks to W. F. King, chairman, and the committee of this association for their efforts to settle this matter on a fair basis, and their conclusions as finally agreed to proved the interest shown by them in the affair beyond question contributed largely to bring about the final solution.

I would refer—especially as it undoubtedly had a most important bearing on the final decision of this subject—to this meeting of the committee from the Merchants' Association of New York City, a representative of the Pennsylvania Railroad, Mr. S. Rea, the Hon. Secretary Shaw, and myself. I might mention that Hon. BOIES PENROSE, chairman of the Senate Committee on Post-Offices and Post-Roads; Hon. WILLIAM B. ALLISON, chairman of the Senate Committee on Appropriations; Hon. JESSE OVERSTREET, chairman of the House Committee on the Post-Office and Post-Roads, and Hon. JAMES A. HEMENWAY, chairman of the House Committee on Appropriations, were invited to attend; but Senator PENROSE and Representative OVERSTREET were out of the city, Senator ALLISON was ill, and Representative HEMENWAY was unable to be present; so, unfortunately, none of these gentlemen were in attendance.

The conference was arranged entirely at the suggestion of the Merchants' Association to discuss the proposed purchase or lease of a site at the Pennsylvania Railroad terminal, and the matter was most carefully gone into by all parties. The conference lasted several hours. It may be well to mention that Mr. Charles B. Lamb is a well-known New York architect, Mr. Towne a gentleman of large business interests, and Mr. William F. King, who is also a business man of large experience and training and thoroughly familiar with New York City affairs, and their advice was most effective in arranging and settling the compromise agreed upon.

I strongly advocated as a matter of absolute necessity in the Government's interest that in case this property was purchased it was essential in place of the railroad company having the fee to the land surrounding the Government purchase, that this should be changed and such fee to the street line should rest with the Government, and also the fee to the inner court, as otherwise the United States would have no protection whatever against nuisances of any kind or interest in the adjacent streets to prevent without their consent the putting down of sewers, the laying of mains, the building of street railways, elevated railways, etc.

This most important point appears to have been entirely overlooked by the Government in their original negotiations with the railroad, but I am glad to say it was finally conceded as a correct position on my part by all present, including Secretary Shaw, and Mr. Rea was advised that the Government could only take title accordingly, and to so report to his company; and I am pleased now to add that this important question has also been conceded and admitted as proper by the Pennsylvania Company, and their terms of sale changed. The Government is to give the railroad easement for light and ventilation through the strips 50 and 40 feet from the street line as shown by the plan.

The necessity for so large a space as proposed was then thoroughly talked over, and the consensus of opinion, for reasons stated, was practically unanimous that only a workshop or substation was required; that much less ground could be taken, and the Government's interests would not suffer so far as postal facilities were in question, and they would benefit through the saving of money both in the cost of land and the erection of the building to the extent of several millions. It is true that Secretary Shaw demurred and said that he preferred the larger plot, even if not used entirely for postal requirements, and he suggested that the appraisers' stores needed more room, which, however, did not seem feasible, as property with access from the street by bridges only would not be desirable for such requirements, and the location was also a poor one for the purpose; and so, again, what this large area was to be used for outside of postal needs was left in doubt.

Finally the proposed compromise was suggested, duly considered, and agreed to by all present. Secretary Shaw stated that he would stand with the others and that he had the authority of Postmaster-General Payne to cut down the space if it was the sense of the meeting, and 100,000 square feet were to be taken on the ground floor. This would admit of, say, 300,000 square feet, if the building was a three-story one, not including the basement, and afforded three times the space which is to be accorded at the New York Central site. Mr. Rea was asked to have his company give a new figure for this lesser property, which cut off 45,000 feet, or 5,000 feet less than one-third of the original proposal. The agreement, as printed below, was read by the secretary, Mr. Mead, before all parties at interest, was accepted, and is submitted as evidence.

Copy of report.

A conference in regard to the subject of the purchase of a site for proper and necessary postal facilities at the new Pennsylvania Railroad terminal in the city of New York was held Tuesday, April 5, at the Shoreham Hotel, Washington, at the suggestion and upon the invitation of the Merchants' Association of New York. Those present at the conference were the Hon. Leslie M. Shaw, Secretary of the Treasury, representing the official postal commission, which recommended the site, and also representing the Post-Office Department and the Treasury Department; the Hon. W. H. DOUGLAS, Member of Congress from New York City; Mr. Samuel Rea, fourth vice-president of the Pennsylvania Railroad, and the committee of the Merchants' Association of New York, composed of Messrs. William F. King, Henry R. Towne, Charles R. Lamb, F. B. De Berard, and S. C. Mead.

The object of the conference was to see if, in view of the disagreement between the House and Senate in regard to this matter, some proposition could be reached upon which all conflicting interests might agree, whereby provision for the purchase of an adequate site could be made at this session of Congress through the conference committees of the Senate and House.

The subject was fully discussed in all its bearings, and as a result Secretary Shaw, Congressman DOUGLAS, and the committee of the Merchants' Association of New York agreed that modifications of the present proposition would be acceptable. The two points of modification are:

1. Reduction of ground area from 145,000 square feet, as originally proposed, to 100,000 square feet.

2. Transfer to the Government of the fee out to the street line with retention in the Pennsylvania Railroad of the easements of light and ventilation through a strip of about 40 feet in width next the street line and through a central quadrangle instead of the transfer to the Government of the fee only to the space to be actually covered by the Government building, with merely rights of way over the outer strip for access to the building, as originally proposed.

Mr. Rae was not authorized to commit the Pennsylvania Railroad to the acceptance of these modifications, but through him they have been submitted to the Pennsylvania officials for consideration, and Mr. Rae has agreed to give their decision in a few days.

It is the hope and expectation of the other members of this conference that this modified proposition will be accepted by the Pennsylvania Railroad and that the differences in Congress on this subject may thereby be eliminated. If this be so, action can probably be had at this session of Congress and an appropriation obtained to purchase a site which will furnish the space requisite for postal facilities at that point on terms and conditions more favorable to the Government than those contained in the original proposition.

The evidence given by me before the conferees of the House and Senate April 19 shows clearly the objections and difficulties to be overcome at the Pennsylvania Railroad site, which made such purchase from all points of view both expensive and undesirable for the Government, and I therefore give the main facts as then submitted, also remarks regarding the New York Central lease, in which I pointed out this clause should be worded with care.

Gentlemen of the conference, I desire to say a word about the New York Central proposition.

No definite statement was embraced in the recommendation of the ex-commission, and this railroad only came on the scene when the conferees of the Senate and House Committees on Appropriations were conferring last year. The New York Central at that time proposed to sell ground or lease space to the Government, and it was a current statement that through an agent they appeared before the conferees and opposed the very plan of the Pennsylvania Company which this session has been so strongly advocating in conjunction with their own.

Knowing the situation of the property at the New York Central depot I realized that it would have been difficult for this railroad under their plans, to the extent they are known, to convey to the Government any fit and suitable piece of land at a reasonable price; therefore, when they offered at this session to lease, I and others at once agreed that it was best for the United States to meet them, and I do not know that any special differences of opinion have arisen on this proposition: and as it appears that all are agreed, I sincerely trust this conference will so report back to their respective Houses, and that the matter will be properly adjusted.

In view, however, of the failure during the Senate debate by the junior Senator from New York, and also by the Senate committee, to make really clear what is proposed to be given to us, I would like to have the conferees investigate, as I understand it does not appear from any information to be secured that the New York Central really intends to erect in any sense a special Government building or post-office, and if this is correct, we should appreciate the fact and understand it; that is, they are not going to put up a special edifice with street fronts for the post-office authorities' exclusive use and according to the provisions of the law governing post-office sites, with first-floor conveniences for the public and accessible from the streets adjacent, also accessible for mail wagons to deliver and take away the mails, although I presume the postal authorities will see in the final adjustment that such proper arrangements as are required will be made for trucks and wagons to load and discharge their mail bags, etc., at the substation.

The railroad company, it appears, are to give us 100,000 square feet of space somewhere at their terminal, as embraced in the large area mentioned in this section of the bill and in their own extensive group of buildings, said space to be over their tracks, so that the mails can be hoisted and taken off the cars by elevators

to the Government space above, which I further understand is to be on the second and third floors of such portion of the building as they may concede to the Government.

The saving in cartage between the present substation at Lexington avenue, so fully gone into by several Senators, I believe has been much exaggerated, and no exact figures on the status of this matter has been given out by the Department itself.

The duration of the lease is not of material consequence; but so rapid are the improvements in methods of handling mails which may lead to necessary changes, that I think the Senate amendment reducing the first period to ten years, with the privilege of a renewal, is the wisest measure.

We must also remember that this distributing station or substation will not be ready for at least four or five years. The wording of the Senate amendment regarding the annual rent to the Government, while a safeguard and wise provision so far as putting in the 2½ per cent clause on valuation is in question, and not trusting to Senatorial or railroad promises, I hardly think is as carefully worded even yet as it should be; and therefore I call the committee's attention to this point. The Government is to have no cellar, no ground floor, only space above the first floor, the railroad occupying the valuable portion of the building, and the proportion or allotment of rent the Government should pay for space in the building they occupy is so problematical that it should be carefully appraised.

The value also would greatly differ, whether they occupy space in a building toward Lexington avenue or Madison avenue. Land on Lexington avenue would not be worth a third of the value of the Madison avenue front. I respectfully suggest that after the words "twenty-five years longer" the amendment should read as follows:

Not less than 100,000 square feet of space in a building to be erected over the tracks of the New York Central and Hudson River Railroad in the city of New York, State of New York, with proper access for mail wagons to load and unload, within the space bounded by Lexington avenue, Madison avenue, Forty-second street, and Forty-sixth street at an annual rental to be fixed for the entire period or lease on Government taking possession of not more than 2½ per cent upon an appraised value of the space actually occupied by the Government and not to exceed $90,000 per annum.

The questions of light, heat, and power for elevator service, etc., are important matters, and I have not heard them brought up in any discussion, but presume that the Government will be safeguarded, as there may be no room, or, rather, suitable space, available on the floors occupied by the Government; and it is very possible that the railroad people will have to furnish these important accessories.

I have thought it desirable to allude to this extent only to the New York Central proposal, which is favored by me, and I can only trust that the Postmaster-General will drive a satisfactory bargain and finally succeed in arranging at considerably under the maximum figures, and believe he should have no trouble in so doing. I would add, the Postmaster-General has authority to make leases of this kind for ten years, and I do not see why this issue was brought before Congress, as it could have been adjusted under the general law.

The Pennsylvania Railroad proposals are the most important, as they involve more ambitious plans and the purchase of a large plot of ground, and consequently have practically created the major part of the discussion this session. I desire to again say that I am as much in favor of securing, if possible, fair arrangements with this company as with the New York Central; and I propose merely to present the facts which I believe the committee should have before them in deciding the question, and will refrain from making any special recommendations; but from time to time I have learned, or searched out myself, or secured from railroad experts, engineers, and architects various details which should be interesting.

It has been given out by the Post-Office authorities and repeated on the floor of the House and Senate, and seems to be an admitted fact, that the New York Central will grant us for the sum of $90,000 maximum annual rental 100,000 square feet of space, which the authorities say is all they will require for a distributing station for the next fifty years or longer at that railroad. It is further an admitted fact that the New York Central carry 60 per cent of the 90 per cent of mails coming into New York City over the railroads as against, say, 40 per cent by the Pennsylvania.

Therefore it would seem on its face a simple business argument that we should be able to secure all the needed requirements for the postal service at certainly under the maximum figure of $90,000 yearly, as less space, also, is apparently necessary at the Pennsylvania site on account of the lesser quantity of mail; and, again, the ground at the latter station, according to experts, is not worth more than one-third, and perhaps only one-fourth, of what it is at the New York Central site. If these are facts which are not disputed, the committee should certainly consider why it should do something entirely different, at a likely enormous cost to the Government, and which plant once established can not well be done way with, unless there are further and good reasons which have not apparently developed at any hearing I have attended, and which will warrant the Pennsylvania purchase.

To buy this land for $2,000,000, if we follow the original proposal, and again take the original recommendation for a building, as named in Postmaster-General Payne's report of February 24, 1903, $5,000,000, makes $7,000,000, and we would probably spend several millions more. The area is enormous, approximately 375 by 600 feet, less an inside court 175 by 350 feet, and the total floor space would be 145,000 square feet each floor. There is then a private driveway at the rear of the property 30 feet wide, and 10 feet at the rear is reserved for light to the Pennsylvania tracks. Presuming there was erected a building only three stories high, this would mean, including the story below ground—as the Government's rights begin 20 feet below the surface—and assuming they could have a flooring there, this would figure in all 580,000 square feet.

The cost for elevators, for heating, light, machinery, etc., would certainly add another million of dollars, which would make eight million in all. Figuring 3 per cent interest, this amounts to $240,000. There would then have to be considered the heavy running expenses, which can hardly be estimated at less than $100,000, making $340,000. We will deduct, say, $25,000, as there, of course, would be expenses at the New York Central for these purposes, and it is desirable to make comparisons, but this would leave, say, $315,000 as a yearly output as against probably about $75,000 annually at the New York Central by leasing, and much less mail to be looked after. Note.—Under the lesser purchase of ground and inexpensive building, as pointed out, we will still spend yearly about $100,000 more than if we had leased.

These inconsistencies could not fail to attract the attention of anyone who was trying to get at the real facts and not dealing with airy theories. The statement is made that New York City will grow, which is true, and probably faster than ever, but if that is the case we are providing too much space at one place and too little at the other, or we are ignoring the testimony of postal experts who claim that the question of sorting at substations is now easily handled and as such stations have increased largely in number, the necessity, therefore, or, in fact, desirability, of large postal buildings in any one place is absolutely no longer needed.

I am told that the Chicago post-office, that has cost very many millions and is only about completed, is practically behind the age before it goes into general use, and that but a very small portion of the space will be used for the original requirements. This, however, is a well-located building and can serve for any other purposes, and to advantage as a Federal building. It now comes to a simple question of whether the expenditure, as outlined, is required at the Pennsylvania terminal, or it appears to be justified only on the grounds of a different proposal, and that it was or still may be the intention of the ex-committee to create at this point a central building for post-office or Federal purposes, and not a mere distributing station, and then the committee should carefully give thought to the point whether the location would be a justifiable one for the expenditure of these millions.

I wish to say, however, that no matter what was the original intent of the postmaster, as I understand it, he now says, or authorizes the Secretary of the Treasury to state for him, that he does not wish for anything but a "working office" at this site, and unless I misquote the honorable Secretary Shaw he also indorses this view as correct, and this was clearly stated at the April 5 meeting at the Shoreham Hotel hearing, when I brought the question up with the Secretary before the committee of the Merchants Association and a representative of the Pennsylvania Railroad. The New York postal authorities have also stated they did not wish anything but a workshop, that little sorting will be necessary, and the Department authorities in Washington have dropped their estimates of the necessary cost of a building to two or two and a half millions.

The honorable Senator DOLLIVER also says we only desire to receive the mail at the Pennsylvania site and distribute it, which statement he made in reply to Senator PATTERSON on April 4, when the latter gentleman stated that we must have great central buildings, but this seems to be a proposal to expend an immense sum of money simply for a distributing office.

It was most pleasing to have on record Senator PATTERSON'S further statement on this question that New York City was entitled to a great Federal building in a central location for all the necessary requirements of the people, and in these remarks he justifies the position I have taken and have been fighting for ever since I have been in Congress; but if we are going to put up a great edifice, a dignified building, something that the people would like to have, then we must treat this subject entirely different, and that building should be erected where it will be of benefit to the public and not hid away far beyond the usual locations that

the people largely frequent. I think the conferees will also carefully consider that proposition in reaching their conclusions.

If we are to purchase the entire site, the conferees will also have to give attention, if they think the space is larger than what will be necessary for postal needs, for what purposes it will be available. I would now say a word in reference to the question of value. The plans have been examined by real estate and other experts—men who are large owners of property—and the value seems open to a considerable range of opinion. The railroad company take their purchase figure and deduct one-third for railroad use of ground for trackage, or, say, 158,650 square feet, which would go to the Government, is worth $1,591,894.10, and they then add one-third of the cost of 132,550 square feet, which they had proposed to reserve for light and air, to the Government price, and they make the figure $2,000,000 in round numbers. But they omit to consider that if the Government ground went to the street front they would have all the light and air desired, excepting an inside court, and this land is reserved absolutely for the benefit of their trackage, and it does not seem that they should charge any portion of its cost to the Government.

It may be well to consider a few special features in regard to the proposition itself, and ask if the site would be a satisfactory one for other requirements than postal necessities if its use could not entirely be devoted to that purpose. The matter has been put before those who are thoroughly familiar with New York's necessities in connection with a Federal building, and the consensus of opinion has been practically unanimous that a building placed between Eighth and Ninth avenues would not be well situated, New York City being long and narrow, the main arteries running north and south, and the flow and the tide of the people are confined to a few main thoroughfares.

Just as soon as you go east of Third avenue on the east side of the city you are practically outside of the line of traffic, and the same applies to the west side of the city after you cross Sixth avenue south of Thirty-fourth street (except in a few special locations). The blocks between the avenues on the west side of the city from Fourteenth street to about Thirty-fourth street from Sixth avenue west are the longest in the city, and about equal to four usual city blocks, and in some cases even five. It is true that Eighth avenue is a thoroughfare and compares somewhat with Third avenue on the east side, but it is mostly frequented by the poorer classes.

As a second proposition the proposed plan of sale as outlined by the Pennsylvania is open to serious criticism. As the conferees well understand the entire Eighth-avenue front was proposed to be retained by the Pennsylvania Railroad to the extent of 50 feet deep, running west. Again, they propose to retain 40 feet on the entire front of the property running east and west on Thirty-first street and Thirty-third street. They also intended to hold the entire inner core of the building on the ground floor for a court 175 feet by 350 feet; also a strip on the south end of the property 10 feet wide adjacent to the private driveway, which would be 30 feet wide and proposed to be opened at Government cost between Thirty-first and Thirth-third streets for the use of drays, trucks, etc.

These reservations are intended to provide light and air to the tracks of the Pennsylvania Railroad 40 feet under the surface line of the ground; therefore there would be a clean drop of 40 feet, which applies as well to the very large inner court. To say the least it appears that this feature is decidedly detrimental, as while it is true they propose to grant the Government the easement across these strips of land, yet it would be unsightly to any building, and there would be the liability to nuisances such as smells, smoke from engines, noises, and other disagreeable features.

I, of course, understand the representatives of the Pennsylvania Company who are here to-day intend to offer you supplemental proposals. They now grant the fee to the Government to the street line and central court, also giving a price for the smaller area, 100,000 feet in place of 145,000 feet. Again, as the inner court would have to be open, it would not be the same as the usual courts to a large building that is floored over on the first story, so that it could be used as floor space and for purposes of general service; but it would simply be a deep hole in the ground to be crossed by bridges if the Government desired to build them. Further, the only approach to the building would be by bridges, which would have to be built from Eighth avenue 50 feet across the line to admit of entrance, and on the side streets 40 feet for the same purpose.

It has been contended by some that large buildings, and especially Government buildings, have often been set back from the streets, and the outer space surrounding the buildings are depressed, which is true; but a careful investigation does not disclose any building, public or private, which would be similarly placed to the proposed present edifice. Buildings, while they may set back at times from the street, have a court over which the people can walk, which gives an imposing effect; or, if the land is depressed, it is not usually more than a few feet, and grassplots, flowers, and other ornamentation are provided which creates a pleasing outlook both from the outside and the inside of the building.

Careful research has also failed to find any building which has an inner court on the plan proposed in the present instance. There would be no possible way of treating the court effectively or advantageously. It thus appears that the Pennsylvania Railroad proposes to dispose of or sell to the Government a plot of ground 100 feet wide and approximately 375 feet north and south and 600 feet east and west, but surrounded by a moat or ditch 50 and 40 feet deep on three sides and 10 feet deep on the rear line, with an inner court of the dimensions already named, also 40 feet deep. There would be no frontage owned by the Government on any street whatever.

The proposition is so unique and singular that experts have had no hesitancy in saying that this feature alone would have deterred any private owner from entertaining a purchase proposition, to say nothing of other features which will shortly be mentioned. In fact, we would have a freak building, and a costly one as well.

To return again to the question of values: The street line, or, what is more important still, the ability to use for business purposes the street front, which never can be the case under the present plan, or even the amended plan by which the Government secures the fee as the railroad still retains the easement, is the true value of any piece of property in a large city; and real estate men have hesitated in giving a value to what the railroad company wish to convey to the Government for $2,000,000.

The highest figure, however, that I have heard named by anyone is the valuation placed upon the site by the New York Post, a most able and respectable newspaper, which published an article on the subject on March 26, 1904, and which I will print in part in the RECORD, after going fully into the values paid by the railroad and giving as they say a comprehensive search into the merits of the case are forced to the conclusion that the value of the land is woefully depressed with the lack of any real frontage and by the reservation of the subsurface easement. They add that in an ordinary case this would destroy the value almost to the vanishing point, and a lot set back 40 feet from Broadway would hardly be worth anything, and there seems little question, therefore, that the $2,000,000 asked for this property is at least 50 per cent too high.

The conferees will note the New York Post places the valuation at $1,000,000. This is a higher figure than any real estate man has named, most of them considering that the site would only be useful for manufacturing purposes or some such business where the street line was of no consequence and valuations range from $250,000 to $500,000.

[Part of the New York Post article, published March 26, 1904.]

The proposal thus suggests probably the most peculiar real-estate transaction on record. Properly the plot offered to the Government has no street frontage. All this is reserved by the Pennsylvania road—40 feet on Thirty-first and Thirty-third streets, and 50 on Ninth avenue. The railroad also retains the open court, 350 by 175. These spaces are to be left open for purposes of light and air, though the Government can build all bridges necessary to give access to its post-office. The large plot to the north, on Ninth avenue, also is not included in the sale. This will probably be left open, exposing tracks and trains.

What the Government is asked to buy is an isolated parallelogram, with the center cut off, having a uniform width of 100 feet, a length in one direction of 550 and in the other of 375. It is not unusual in building operations to leave a great interior court for light and air, but the fee of this is always held by the owner of the building. In this case it can hardly be, as the railroad needs the vault space, so to speak, for trackage. Probably never before was a property offered from which all the frontages have been removed. It is proposed to excavate the surrounding strips so that the new post-office, if ever built here, will have a sort of a castle effect, surrounded on all sides by a moat (sans water), and reached by bridges.

For this property the Pennsylvania road asks $2,000,000. An appraisal of its value would probably stump the greatest real-estate expert. Ordinarily cutting off the frontages and the subsurface rights would deprive a property of any value at all. No purchaser for it in the regular market could be imagined. Its only possible utilization seems to be a post-office. It is especially convenient for this, because the transference of incoming and outgoing mails is simplified. It thus puts the New York post office in immediate touch with the whole country.

A post-office does not increase the value of surrounding property. It always introduces confusion in the section in which it is located; the mail wagons especially are a bad feature. What chiefly seems to be advocated is a large plot central to transit lines, not too remote to be accessible to businessmen, but somewhat removed fromt he great public thoroughfares. From these view points the Pennsylvania's offer has many advocates, though there is a general impression that the price demanded is excessive. In Congress it is charged that the land would not bring $500,000 in the open market.

It will be observed that the plot offered is in all cases 100 feet deep—that is, the lots have not been cut off, but rather moved back. In all, it contains 58 city lots. At $2,000,000 this is at the rate of $34,482 a city lot. It might be profitable to compare this price with what the Pennsylvania Railroad actually paid for the property two years ago. Its value may be well gauged from the prices mentioned in the deeds conveying the following parcels to the Pennsylvania. In all cases these are the deeds of executors and trustees, and the considerations mentioned are those actually paid.

THIRTY-FIRST STREET.

Number.	Size.	Price.	Front foot.	Full lot.
325	20.0 by 98.9	$18,000	$900	$22,500
357	18.9 by 98.9	20,000	1,111	27,775
367	18.9 by 98.9	20,000	1,111	27,775
389	18.9 by 98.9	17,500	972	24,300

THIRTY-THIRD STREET.

314	18.9 by 98.9	$25,000	$1,333	$33,325
316	18.9 by 98.9	23,500	1,253	31,325
318	18.9 by 98.9	22,000	1,172	29,300
358	19.8 by 98.9	25,000	1,265	31,625

NORTHWEST CORNER EIGHTH AVENUE.

31	74 by 100	$185,000	$2,500	$62,500
431	24 by 100	40,000	1,666	42,650

The last column shows the value in each case of a full lot, on the basis of the sale in question, all the parcels cited being less than a 25 by 100 lot. None of these prices—which were actually paid—equals the average price asked now by the Pennsylvania Road, except those of the Ninth avenue parcels. The Thirty-first street quotations, ranging from $22,000 to $27,000, are considerably below the $34,000 now asked by the Pennsylvania. There is not such a disparity in the case of the Thirty-third street property, though it is still considerable.

The Pennsylvania directors would probably urge on the one hand that they have had to carry the property for two years at a loss, and that its value is much higher now than when they purchased, owing to the change wrought in the section by their station. On the other hand, it is notorious that the Pennsylvania paid ridiculously high prices for most of its land. Its scheme became public property almost before it had begun, and speculators in numerous cases got in ahead.

Thus the prices paid two years ago probably represent all that the property will be worth for some time to come. The rear of a railroad terminal depreciates rather than puts up prices. Again, the value of the land is w efully depreciated by the lack of any real frontage and by the reservation of the subsurface easement. In an ordinary case this would destroy value almost to the vanishing point. A Broadway lot set back 40 feet from Broadway would hardly be worth anything. There seems little question, therefore, that the $2,000,000 asked for this property is at least 50 per cent too high.

Thirdly, it may be well to consider the architectural effect, and architects have stated that to treat the site advantageously or even semisatisfactorily would require considerable outlay, as it would be essential at least to build down to the 20-foot line in as substantial and high-priced a manner as the first story; otherwise the approaches would be unsightly and the entire effect would be destroyed. This would practically mean that where the cellar of a building is usually put you would have to increase the expense and build according to the first-story plans of an ordinary building, 20 feet below the surface line; and it is an open question whether the surrounding space, being entirely open still below this, 20 feet additional to the Pennsylvania tracks, that some further treatment would not be required. This may be simply a question of cost, but why at the Government's expense and for the benefit and convenience of the Pennsylvania Railroad?

Fourthly, the very important question arises as to the supports and necessary foundations for a fireproof and heavy building. The foundation will have to be on the tracks of the Pennsylvania Railroad; that is, you would have to place your foundation on property which the Government will have no rights upon now or at any other time, and the supports will require to be so situated as to meet the necessities of the railroad trackage. The possibility of having a solid foundation built up around the inner court is somewhat clouded and open to question, but it does not appear likely that this could be done so far as the ends of the court approaching Eighth and Ninth avenues are in question, as it would interfere with the trackage.

Thus, again, the question of expense enters largely, and Mr. Lamb, the architect present at the April 5 hearing, expressed the opinion that a difficult problem would have to be met, and the expense entailed on the Government would be very heavy. This brings up the consideration of the height of the building. It may be true that should the ground be bought the present building would only be two or three stories above the street level; but it might be desirable in later years to increase this height, and it would be necessary in building to provide the proper foundation, and there seems to be an issue here as to being able to secure strength of supports to carry a building, say, of eight or ten stories above the ground surface.

It may be that these are not real obstacles, but engineers have raised the issue and it is well to record them. A private owner would under no circumstances assume these obligations and would be considered clearly insane if he did so. It is presumable that the Government should be protected against matters of this kind equally as well as the individual. The question has also been raised that if the Government only use the ground 20 feet below the surface line and has no rights below where the Pennsylvania tracks are placed, whether or not the Pennsylvania Company should not, at their own expense, build up the foundations, which must be in accordance with the necessities of their trackage, to the line where the Government really takes control, and whether they should not agree to keep said foundation at their own expense in repair?

This has been called to my attention, and I feel it my duty to also mention it to the conferees. The boiler room, engine room, and necessary machinery for various requirements of an enormous building of this character would have to be provided for. It is possible that the space 20 feet below the surface line, and which rests with the Government, would give ample room; but, again, the foundations would have to be extremely staunch to provide against vibration and weight, as usually the necessary machinery is placed on the ground in the cellar of public buildings to secure a firm foundation.

I understood from my last interview with Secretary Shaw that he would probably still contend that the larger space was probably the most desirable if asked for an opinion by the conferees.

The question now to be determined appears to narrow itself down to the following propositions: Does the Government require more than proper space for postal necessities at the Pennsylvania site, and is it essential to purchase this plot to secure said facilities, or could other ground be secured adjacent to the Pennsylvania station site on a more favorable basis and at a heavy saving to the Government?

If any space is bought of the Pennsylvania Company shall the smaller space at the increased price be paid, as even while the cost is proportionately higher for the smaller space there is a saving, and there would be considerably extra saving in the cost of the smaller building, or again, would it be best to purchase the larger site and take chances for what purposes it may be used in later years if not all needed at once for postal necessities? In considering these propositions the question of the desirability of Government ownership in conjunction with a railroad has come up and the committee should carefully go into this matter.

I further take it that the conferees will, of course, in any case so word their clause as to protect the Government fee to street front and also to any inner court. I would point out that even under the lesser ground space there would be a building 400 feet front by 325 feet deep, or, as mentioned, 100,000 square feet each floor.

As regards Government ownership in partnership with a railroad, it appeals to me very strongly that it is not a wise or proper move if it can be avoided for the Government to enter into such transactions.

The placing of this public building on a site over a railroad property will undoubtedly give them a great advantage over other interests or railroads which may later on secure an entrance into New York City. On the point of the Government owning their own buildings instead of leasing, as a general proposition I desire to record myself as thoroughly in favor of Government ownership. There can be no question of doubt that it is far best and economical as a rule, but there are exceptions, and the case of the New York Central lease is a proper one, and the same rule would have applied to the Pennsylvania Railroad site if it had been within the Government's power to secure such an arrangement.

In connection with the passage of these measures I desire to record the great service, for which he should receive the thanks of the New York delegation, rendered by the Hon. HENRY S. BOUTELL of Illinois, who was in the chair during the discussion of this bill. It will be remembered that on the 18th of March, when the chairman of the committee, Mr. OVERSTREET, had a point of order raised against the clause in the bill pertaining to the New York Central lease by Representative JOHN H. STEPHENS of Texas, which, notwithstanding the united appeals of the Democratic and Republican members of New York City, he would not withdraw, the Chair under the rule was forced to rule in his favor, and the clause was killed, which would have done away with this legislation during this session unless matters could have been adjusted in the Senate.

But at this critical time Mr. BOUTELL very kindly pointed out the method of drawing the amendment to myself, which would overcome the point of order, and feeling that it would be courtesy to the chairman of the committee, Mr. OVERSTREET, I conceded to him the redrawing of the clause, which was submitted as an amendment; and although Mr. STEPHENS again raised the point of order, the Chair in this case ruled in favor of the amendment as germane, and it remained, therefore, in the bill and was passed. I give this little incident especially, as had not advantage been taken of the situation at that time the amendment would not have been inserted, which is a further proof that I was not stopping legislation for New York, but helping it all I could.

The original committee to select a site for the New York City post-office, as I have stated in my former remarks, were expected to have secured for us a proper central site for a Federal building

and post-office, and it appears they made a serious mistake, to say the least, in advocating an unsatisfactory plot of ground at a railroad terminal, and our city thereby has unfortunately lost, for a period at least, the securing of a Federal building, which they are entitled to at the hands of Congress; but I trust we may still obtain recognition in due course, and I shall work for such a building at our next session and shall hope to have the support of all who have by their actions prevented or retarded the realization of this proper tribute to our wealth and growth.

We have had no large appropriation for nearly a quarter of a century, excepting the customs house, while other cities have been liberally treated. The two substations which we have secured, as the people will eventually find out for themselves when they are in operation, do not provide what the public generally anticipate or look for in a public building; that is, a dignified, imposing edifice of which the people can be proud, with a large central court having entrances on all sides through which our citizens may walk and transact their business; one which provides every advantage for postal facilities, giving ample accommodations for the public for general delivery, the securing of stamps, the buying of money orders, and all that goes with public necessity in these particulars.

Also providing the proper accommodations for revenue collectors, a home for Federal judges and other officials of the United States Government who may be located with us and require a home for the transaction of their business, and so built as to be an architectural ornament for our metropolis.

To reach a proper settlement of prompt deliveries in our city it should be divided into eight or more divisions, the same as in European cities, and letters should be addressed accordingly. We should then have substations at the north, south, east, and western sections of the city; also, intermediate stations at the northeast, northwest, etc., and a central station, and each to have tube connections. Letters should be collected each half-hour at the mail boxes and taken to the nearest station. They should then be sorted and placed in bags according to the different localities of the city where they are to go, and these bags sent by the tube to the station most adjacent to the addresses on said letters; the letters should then be sent out at once.

If this were done, there is no reason why a person could not mail a letter in a box at Harlem at, say, 9 a. m., and have it delivered to the downtown business section at the lower end of the city within, say, an hour and a half or two hours' time. Also, a special-delivery stamp should be provided, in which case if the party using same is willing to pay the extra sum, the letter should be sent by tube at once and delivered from the nearest substation by special messenger. Under this arrangement at least a further half hour or more could be saved.

The special-delivery stamp should not exceed 2 cents in value, and the experts estimate that the public would use this service so largely that the interest on the entire outlay would be paid from the sale of special stamps alone, and we should have really an efficient and attractive service. Even now, with the heavy charge of 10 cents for special delivery, the use of these stamps is increasing enormously, showing that the public are demanding and should be conceded a much quicker service.

It has been stated correctly that the Senators from New York State supported the original proposals of the railroads without regard to alterations, which has also been the position of the Senators from Pennsylvania and the honorable Secretary Shaw, who has further said that he was enthusiastic for the Pennsylvania purchase. The further claim has been made that practically the entire New York City delegation believed in the proposal, which, however, I am glad to be able to refute as incorrect; and I only regret that they did not come out and assert themselves to help break down railroad aggressiveness.

It has been further stated that I stood largely alone in the efforts made to enlighten Congress and obtain an honest lease from the New York Central and Government protection in buying from the Pennsylvania Company, and while this is not correct I would only add that, if it were the case, it is most singular that single handed one Representative could force this great railroad combine, with the powerful advocates mentioned, to change their plans and proposals to grant us fee to the ground and other advantages to which the Government was entitled but the truth of the matter is, the facts I was able to obtain from real estate authorities, engineers, architects, and others was so clear, and the justice of the position so plain, that even the array of influential parties mentioned could not prevent justice from prevailing, and I am pleased to say that the conferees granted every facility to have the facts properly put before them.

The arrogance, power, and influence of the great railroads and other corporations in Congress has been well and strongly exemplified in this matter and shows that propositions meet favor when advocated by such interests, which, if they had been put forward by less potent factors, would have had little chance of even consideration. The Pennsylvania Railroad Company purchased this ground in New York City at a heavy cost, far beyond its value, as it was needed for their trackage, and they had to secure the right of way to the block beyond where their depot is to be placed.

They needed the control of the lower level for their tracks, but did not require the space above, and naturally they have been desirous of securing a tenant who would protect them for all time and pay well for the land, the value of which was very uncertain considering the surrounding conditions. They turned to the Government as a likely purchaser to relieve them of their burden, and having in mind, probably, the Philadelphia post-office adjacent to their depot there, proposed to protect themselves in New York by a similar arrangement, which has been partly successful.

It is said that they even went so far as to have plans drawn by their own architects for the building which they would allow the Government to erect, so that never minding the millions in cost, if they did not pay the bill, their wishes would be met by a building corresponding in architectural effect with their own station. Whether this is actually correct I have not been able to verify, but would not be surprised at anything in view of the first proposal made to the post-office authorities.

Personally, I have endeavored in this matter to be absolutely honest and consistent. My purpose has been to protect the Government and at the same time obtain for New York City what was needed at these terminals, and believe I have been fairly successful, and at the same time left matters in such shape as will enable the New York City delegation to work for a splendid Federal building in the future and secure it. [Applause.]

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ROBINSON of Indiana. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. OVERSTREET. Mr. Speaker, I demand the previous question.

The previous question was ordered.

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

The question was taken; and on a division (demanded by Mr. GILBERT and by Mr. ROBINSON of Indiana) there were—ayes 119, noes 89.

So the conference report was agreed to.

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

BOARD OF MANAGERS, NATIONAL SOLDIERS' HOME.

Mr. HULL. Mr. Speaker, I submit a conference report on House resolution No. 136, for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, which I send to the desk, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Iowa submits a conference report, and asks unanimous consent that the statement be read instead of the report. Is there objection?

There was no objection.

The Clerk read the statement, which, together with the report, are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 136) for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 11 of the bill insert the following: "John M. Holley to succeed John L. Mitchell, his term of service expiring April twenty-first, nineteen hundred and four;" and the Senate agree to the same.

J. A. T. HULL,
GEO. W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

N. B. SCOTT,
J. B. FORAKER,
Managers on the part of the Senate.

STATEMENT.

Amendment No. 1 strikes out the name of William R. Shafter and inserts the name of Henry H. Markham; and the House recedes.

Amendment No. 2 is inserting the name of Markham in place of Shafter, with a statement that he succeeds Mr. Bonsall.

Through a clerical error the name of John H. Holley was omitted in the second part of the resolution, and that is inserted after amendment No. 2; so that the House recedes from its disagreement to amendment No. 2, and agrees to the same with an amendment inserting the name of John H. Holley to succeed John L. Mitchell.

J. A. T. HULL,
GEO. W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

Mr. HULL. I move the adoption of the report.

The report was agreed to.

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

DECISION ON QUESTIONS OF PRIVILEGE.

The SPEAKER. Yesterday, during consideration of the bill relating to the use of certain vessels belonging to the United States, the gentleman from New York [Mr. COCKRAN], claiming recognition for a question of privilege, proposed a resolution, which the Clerk will read.

The Clerk read as follows:

Whereas the Hon. JOHN DALZELL, a Member of this House and of its Committee on Ways and Means, has charged on the floor that the Hon. WILLIAM BOURKE COCKRAN, a Representative from New York and a member of the same committee, had been paid money by a political party to support a candidate for the Presidency nominated in opposition to the party with which the said WILLIAM BOURKE COCKRAN had theretofore been affiliated; and

Whereas the said charge though denied specifically on this floor by the said WILLIAM BOURKE COCKRAN has not been withdrawn by the said JOHN DALZELL; and

Whereas said charge if true establishes such conduct as should unfit any man for membership in this House, and if false should be so declared and its author censured severely: Therefore, be it

Resolved, That a select committee of five Members be appointed by the Chair to inquire into the truth of said charge, and to report the testimony with their conclusions thereon to this House at its session beginning the first Monday of December next; and be it further

Resolved, That said committee be, and it is hereby, given full power to compel the attendance of such witnesses and the production of such papers as the Members thereof may deem necessary to the full and proper discharge of the duty hereby imposed on them.

The SPEAKER. Rule IX of the House is as follows:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

Now, it is manifest that under the rules of the House the gentleman from New York may not interrupt the orderly course of business to present an extraneous matter unless that matter involves a question relating to the integrity of the House itself, or, what is the same thing, the integrity of one of its Members in his representative capacity.

A preliminary question presents itself first: Does the allegation presented in the preamble of the resolution recite accurately the charges alleged to be made by the gentleman from Pennsylvania?

As the language referred to was uttered on the floor, within the hearing of all the House, and is a part of the RECORD, it is possible for the Chair to form an opinion; but while that is so, the question is one of fact, relating to the interpretation of language, and more properly belongs to the House itself to decide, should the decision of the question of law bring the matter within the field of the House's jurisdiction. Therefore the Chair dismisses this branch of the inquiry.

Assuming the declarations of the preamble to establish prima facie what they assume to establish, is a question of privilege presented?

The Chair is warranted in taking judicial knowledge of the fact so abundantly established in the debate that the offense set forth as charged against the gentleman from New York, if committed at all, was committed while the gentleman from New York was neither a Member nor a Member-elect of this House.

May the House punish a Member for that which he did in his capacity as a citizen, before his election as a Member?

In view of the high constitutional importance of this question, the Chair on yesterday declined to rule until he had examined the precedents thoroughly. He finds that the question has often arisen, and that while there has been some diversity of opinion, there is in the main a well-defined line of decisions indicating that the House may not take such action.

As early as 1796 the charge was made against Humphrey Marshall, of Kentucky, a member of the United States Senate, that he had committed the crime of perjury in Kentucky eighteen months before his election to the Senate. After careful examination the Senate found that it did not have jurisdiction under the Constitution to take cognizance of the alleged offense. It should perhaps be said in this connection that the case of William Blount, who was expelled from the Senate in 1797 for treasonable designs against the United States, has sometimes been cited as a precedent the other way; but the Chair does not find that this particular question was discussed in that case. And the case of John Smith, charged with complicity in the alleged conspiracy of Aaron Burr, and whose proposed expulsion failed in the Senate in 1807, can hardly be drawn into precedent.

In 1799 the House declined to expel Matthew Lyon for a violation of the alien and sedition law, committed while a Member, but before his reelection to the then existing House, the point being especially urged that his constituents had reelected him with a full knowledge of his actual prosecution and conviction.

In 1858 it was proposed to expel from the House Mr. O. B. Matteson, who had resigned from the preceding House to escape expulsion for corruption in his legislative acts; but the House, after careful examination by a committee, declined to punish him, it being urged that he was amenable only to the people of his district.

Later, in 1875, in a case referred to in section 31 of the Parliamentary Precedents, the majority of the Judiciary Committee, citing the case of Humphrey Marshall, concluded that the Constitution did not vest in the House jurisdiction to try a Member for an offense committed before his election. In that case the offense charged was the bribery of Members of the preceding Congress.

It should be stated that this decision was rendered in the full knowledge of the famous Credit Mobilier case in the preceding Congress, in 1872, when the House censured two Members for bribery of fellow-Members, committed before their election to the existing House, but while they were Members of the preceding Congress. It should be noted that the Members in this case were censured on the report of a select committee, and that the Judiciary Committee of the House, in an elaborate report presented by Mr. Benjamin F. Butler, of Massachusetts, combated strongly those conclusions as to the right to punish. The report of 1875 was made in the Congress of which Mr. Randall was Speaker.

In the case of Brigham H. Roberts, which was referred to yesterday, it was alleged, if the recollection of the Chair is correct, that Roberts was actually engaged in the practice of polygamous cohabitation not only before his election, but up to the time his case was decided.

The Chair might also refer to the case of William N. Roach in the Senate in 1893, wherein the Senate, after debate, neglected to investigate a charge that Mr. Roach had been an embezzler at a time previous to his election to the Senate.

It will be observed that in only one of the cases cited has the House assumed to punish a Member for an act committed prior to his election to the then existing House, and that case dates to a period of great popular excitement.

As to acts committed outside the House, and having no relation to the legislative capacity of the Member, the Chair finds even less grounds for proceeding.

In 1879 a Member from Louisiana, Mr. Acklen, claiming the floor for a question of personal privilege, asked an investigation of a charge that he had committed the crime of seduction in Louisiana, at a time prior to his election. Mr. John H. Reagan, of Texas, having objected that no question of privilege was presented, Mr. James A. Garfield, of Ohio, sustained Mr. Reagan's position, holding that the House had no jurisdiction. Mr. Speaker Randall expressed his concurrence in Mr. Garfield's opinion, but submitted the case to the House. And the House, without division, decided that no question of privilege was involved.

Again, in 1884, Mr. William Pitt Kellogg, of Louisiana, asked, as a question of privilege, that the House investigate his alleged connection with the star-route frauds, certain testimony reflecting on his conduct having just been given before a committee of the House itself. Mr. William R. Morrison, of Illinois, made the point of order that no question of privilege was involved. Mr. Speaker Carlisle said:

The House has no right to punish a Member for an offense alleged to have been committed previous to the time when he was elected a Member of the House. That has been so frequently decided in the House that it is no longer a matter of dispute.

Mr. Nathaniel J. Hammond, of Georgia, urged that the House should not investigate the conduct of a Member at a time prior to his election, and on his motion resolutions proposed by Mr. Kellogg were referred to the Committee on the Judiciary. It does not appear that that committee ever reported on the matter.

So it seems to the Chair that even if it had been alleged on the floor that the gentleman from New York had committed an actual crime in 1896, and even if it were an ascertained fact that he had committed a crime at that time, it would be very doubtful under the precedents cited whether or not he would be punishable by

this House, and hence, as a necessary consequence, whether or not a resolution of investigation would involve a question of privilege.

But the Chair feels justified in taking cognizance of the fact that what is alleged to be charged constitutes no crime. At most the only question is one as to the propriety of the conduct of a private citizen. The House could not rightfully punish him if it desired so to do. The Chair thinks that a reading of the decision of the United States Supreme Court in the case of Kilbourne *v.* Thompson will raise a serious doubt as to whether the House could compel a syllable of testimony under this resolution.

Therefore the Chair holds that the resolution may not be entertained as a question of privilege.

Mr. WILLIAMS of Mississippi. From that decision of the Chair I respectfully appeal.

The SPEAKER. The gentleman from Mississippi appeals from the decision of the Chair.

Mr. PAYNE. I move that the appeal be laid on the table.

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry. Is not the question upon this motion required to be put in the usual form—Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. The gentleman from Mississippi appeals from the decision of the Chair, and the gentleman from New York [Mr. PAYNE] moves to lay that appeal on the table. The motion is in order: it comports with the practice of the House on many occasions.

The question having been put,

The SPEAKER. The ayes seem to have it.

Mr. WILLIAMS of Mississippi. I call for a division.

Mr. PAYNE. We must evidently have the yeas and nays finally. So I call for them now.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 126, answering "present" 7, not voting 78, as follows:

YEAS—170.

Acheson,	Dresser,	Jenkins,	Palmer,
Adams, Pa.	Driscoll,	Jones, Wash.	Patterson, Pa.
Alexander,	Dunwell,	Kennedy,	Payne,
Allen,	Dwight,	Ketcham,	Perkins,
Ames,	Esch,	Kinkaid,	Porter,
Babcock,	Evans,	Knapp,	Powers, Me.
Bartholdt,	Flack,	Knopf,	Powers, Mass.
Bates,	Fordney,	Kyle,	Reeder,
Beidler,	Foss,	Lacey,	Roberts,
Bingham,	Foster, Vt.	Lafean,	Rodenberg,
Birdsall,	Fowler,	Landis, Chas. B.	Scott,
Bishop,	French,	Lanning,	Shiras,
Bonynge,	Gaines, W. Va.	Lawrence,	Slemp,
Bowersock,	Gardner, Mich.	Lilley,	Smith, Ill.
Bradley,	Gardner, N. J.	Littlefield,	Smith, Iowa
Brandegee,	Gibson,	Longworth,	Smith, Samuel W.
Brick,	Gillet, N. Y.	Loud,	Smith, N. Y.
Brooks,	Gillett, Cal.	Loudenslager,	Smith, Pa.
Brown, Wis.	Gillett, Mass.	Lovering,	Southard,
Brownlow,	Goebel,	McCall,	Spalding,
Burke,	Graff,	McCarthy,	Sperry,
Burkett,	Greene,	McCleary, Minn.	Steenerson,
Burton,	Grosvenor,	McCreary, Pa.	Sterling,
Butler, Pa.	Hamilton,	McLachlan,	Stevens, Minn.
Calderhead,	Haskins,	McMorran,	Sulloway,
Campbell,	Haugen,	Mahon,	Tawney,
Capron,	Hedge,	Mann,	Thomas, Iowa
Cassel,	Hemenway,	Marsh,	Townsend,
Castor,	Henry, Conn.	Marshall,	Van Voorhis,
Conner,	Hepburn,	Martin,	Volstead,
Cooper, Pa.	Hermann,	Miller,	Vreeland,
Cooper, Wis.	Hildebrant,	Minor,	Wachter,
Cousins,	Hill, Conn.	Mondell,	Wadsworth,
Currier,	Hinshaw,	Moon, Pa.	Wanger,
Curtis,	Hitt,	Morgan,	Weems,
Dalzell,	Hogg,	Morrell,	Wiley, N. J.
Davidson,	Howell, N. J.	Mudd,	Williamson,
Davis, Minn.	Howell, Utah	Murdock,	Wilson, Ill.
Dayton,	Huff,	Needham,	Woodyard,
Deemer,	Hughes, W. Va.	Norris,	Wright,
Dixon,	Hull,	Olmsted,	Young.
Douglas,	Jackson, Md.	Otjen,	
Draper,	Jackson, Ohio	Overstreet,	

NAYS—126.

Adamson,	De Armond,	Hill, Miss.	Little,
Baker,	Denny,	Hitchcock,	Livernash,
Bartlett,	Dickerman,	Hopkins,	Livingston,
Bassett,	Dinsmore,	Houston,	Lloyd,
Beall, Tex.	Field,	Hughes, N. J.	McAndrews,
Bell, Cal.	Finley,	Humphreys, Miss.	McNary,
Benny,	Fitzgerald,	James,	Macon,
Benton,	Fitzpatrick,	Johnson,	Maddox,
Bowers,	Flood,	Jones, Va.	Maynard,
Brantley,	Gaines, Tenn.	Kehoe,	Meyer, La.
Breazeale,	Garber,	Keliher,	Moon, Tenn.
Broussard,	Garner,	Kitchin, Claude	Padgett,
Brundidge,	Gillespie,	Kitchin, Wm. W.	Page,
Burnett,	Glass,	Kline,	Patterson, N. C.
Candler,	Goldfogle,	Kluttz,	Patterson, Tenn.
Cassingham,	Granger,	Lamar, Fla.	Pierce,
Clark,	Hamlin,	Lamar, Mo.	Pou,
Clayton,	Hardwick,	Lamb,	Pujo,
Cockran, N. Y.	Harrison,	Lewis,	Rainey,
Cowherd,	Hay,	Lind,	Randell, Tex.
Crowley,	Henry, Tex.	Lindsay,	Ransdell, La.
Richardson, Ala.	Sherley,	Stephens, Tex.	Wade,
Rider,	Shull,	Sulzer,	Wallace,
Rixey,	Sims,	Swanson,	Webb,
Robinson, Ark.	Slayden,	Talbott,	Wiley, Ala.
Robinson, Ind.	Small,	Tate,	Williams, Ill.
Rucker,	Smith, Ky.	Taylor,	Williams, Miss.
Russell,	Smith, Tex.	Thayer,	Wilson, N. Y.
Ryan,	Snook,	Thomas, N. C.	Wynn,
Scudder,	Southall,	Underwood,	Zenor.
Shackleford,	Spight,	Vandiver,	
Sheppard,	Stanley,	Van Duzer,	

ANSWERED "PRESENT"—7.

Bede,	Dovener,	Miers, Ind.	Ruppert.
Cochran, Mo.	Gilbert,	Otis,	

NOT VOTING—78.

Adams, Wis.	Darragh,	Landis, Frederick	Robertson, La.
Aiken,	Davey, La.	Legare,	Scarborough,
Badger,	Davis, Fla.	Lester,	Sherman,
Bankhead,	Dougherty,	Lever,	Shober,
Boutell,	Emerich,	Littauer,	Sibley,
Bowie,	Foster, Ill.	Lorimer,	Smith, Wm. Alden
Brown, Pa.	Fuller,	Lucking,	Snapp,
Buckman,	Gardner, Mass.	McDermott,	Southwick,
Burgess,	Gooch,	McLain,	Sparkman,
Burleigh,	Goulden,	Mahoney,	Stafford,
Burleson,	Gregg,	Metcalf,	Sullivan, Mass.
Butler, Mo.	Griffith,	Nevin,	Sullivan, N. Y.
Byrd,	Griggs,	Parker,	Tirrell,
Caldwell,	Gudger,	Pearre,	Trimble,
Connell,	Hearst,	Pinckney,	Warner,
Cooper, Tex.	Holliday,	Prince,	Warnock,
Cromer,	Howard,	Reid,	Watson,
Crumpacker,	Humphrey, Wash.	Rhea,	Weisse.
Cushman,	Hunt,	Richardson, Tenn.	
Daniels,	Hunter,	Robb,	

So the motion to lay the appeal on the table was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BOUTELL with Mr. GRIGGS.

On this vote:

Mr. LITTAUER with Mr. BURLESON.

Mr. BROWN of Pennsylvania with Mr. CALDWELL.

Mr. PEARRE with Mr. DOUGHERTY.

For this day:

Mr. CUSHMAN with Mr. ROBERTSON of Louisiana.

Mr. WATSON with Mr. GOOCH.

Mr. HUMPHREY of Washington with Mr. BANKHEAD.

For remainder of the day:

Mr. NEVIN with Mr. SPARKMAN.

Mr. SOUTHWICK with Mr. AIKEN.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 2134. An act to connect Euclid place with Erie street;

S. 3869. An act for the extension of Albemarle street;

S. 2710. An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

S. 127. An act authorizing the joining of Kalorama avenue; and

S. 2621. An act for the widening of V street NW.

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

S. 3043. An act for the relief of the estate of the late John Jacoby; and

S. 4236. An act to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me., Fort Winthrop, Mass., Fort Hamilton, N. Y., and Fort H. G. Wright, N. Y., as reported by board of army officers constituted to ascertain the same.

The message also announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 10077. An act granting a pension to Julia A. Henderson;

H. R. 11122. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes; and

H. J. Res. 150. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I call up the bill (S. 2263) to require the employment of vessels of the United States for public purposes.

The SPEAKER. The gentleman from Ohio calls up Senate bill 2263.

Mr. GROSVENOR. Mr. Speaker, I wish to give notice to the House that at the close of the speech of the gentleman from Maine [Mr. LITTLEFIELD], I shall demand the previous question upon the passage of this bill. I yield to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. WILLIAMS of Mississippi. Mr. Speaker, do I understand that the gentleman is going to call the previous question at the close of the speech of the gentleman from Maine?

Mr. GROSVENOR. Yes.

Mr. WILLIAMS of Mississippi. How long a time do you yield to the gentleman from Maine?

Mr. GROSVENOR. He will be entitled to an hour under the rule.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker. How much time has been consumed on each side in the discussion of this bill?

The SPEAKER. The gentleman from Ohio has consumed ninety-five minutes and the gentleman from Mississippi seventy minutes.

Mr. WILLIAMS of Mississippi. The speech of the gentleman from Pennsylvania [Mr. DALZELL] was upon this bill, the speech of the gentleman from New York [Mr. COCKRAN] was upon this bill. So that it would appear to me that the Speaker's account of the time consumed must be wrong.

The SPEAKER. The Chair is not informed of any other speech that has been made.

Mr. WILLIAMS of Mississippi. Ninety-five minutes upon this side. [Pointing to the Republican side.]

The SPEAKER. The Clerk's memorandum is that way.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, if the gentleman from Maine speaks an hour, then I submit, in all fairness, that there should be given to this side of the Chamber a sufficient length of time to equalize the amount of time consumed upon the bill on that side.

Mr. GROSVENOR. Mr. Speaker, I have this to say: I propose to have a vote upon this bill some time between now and 5 o'clock on the passage of the bill, and I am willing to deal very generously in the distribution of the time. There will be no demand for more than five or ten minutes on this side.

Mr. WILLIAMS of Mississippi. Well, now.

Mr. GROSVENOR. Listen to me. After the speech of the gentleman from Maine. Now, unless there is a conference report, and those matters which can drive me off the floor which shall absorb the time, there will be no difficulty in giving the gentleman a reasonable allowance of time.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that debate upon this bill be divided equally between the two sides, and that the gentleman from Ohio [Mr. GROSVENOR] control the time on that side of the Chamber, and the gentleman from Mississippi [Mr. SPIGHT] control the time on this side of the Chamber.

Mr. PAYNE. Mr. Speaker, a number of times during this session, when the House was considering appropriation bills, that side of the House have had from one to two hours more of time than this side had; so that the time has not been divided equally, and they owe us time for that reason.

Mr. WILLIAMS of Mississippi. Oh!

Mr. PAYNE. I am unwilling that there shall be that division in view of the condition of the business of the House.

The SPEAKER. The gentleman from New York objects.

Mr. WILLIAMS of Mississippi. One word. I want to call the attention of the gentleman, before he takes his seat, to the fact that this was substantially agreed to by the gentleman from Maine and myself before we took a recess yesterday.

Mr. PAYNE. Very well.

Mr. WILLIAMS of Mississippi. The RECORD will show it.

Mr. PAYNE. I did not hear any such agreement.

Mr. WILLIAMS of Mississippi. The House heard the conversation of the gentleman from Maine [Mr. LITTLEFIELD] and myself upon that subject; the gentleman from Ohio [Mr. GROSVENOR] also.

Mr. GROSVENOR. I make this proposition to gentlemen on the other side—that the vote on this bill shall be taken at 4 o'clock, the previous question shall be considered as ordered on the bill and amendments, and that the time between now and that hour shall be equally divided.

Mr. WILLIAMS of Mississippi. I will agree to that.

Mr. GROSVENOR. That is the best I can do, I will say to the gentleman from Maine.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the vote shall be taken on this bill after two hours of debate, the time to be equally divided between the two sides. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. I yield one hour to the gentleman from Maine. [Loud applause on the Republican side.]

Mr. LITTLEFIELD. Mr. Speaker, under the existing conditions I have no doubt I will be pardoned if I do not spend any time discussing the specific provisions of this bill. This is a bill that provides for carrying the supplies of the Army and Navy by the American merchant marine. It is for that purpose and is intended as an aid in its upbuilding and development. I agree with the distinguished gentleman from New York [Mr. COCKRAN] that the underlying principle of this bill, being the purpose to aid by the Government this branch of our industries, is a legitimate corollary of the doctrine of protection, and in that respect it is in line with the well-settled policy of this country. Every consideration involved in its support is a consideration that would equally as well apply in a discussion of the question of protection generally.

Now, inasmuch, Mr. Speaker, as it is my purpose during the course of this discussion to refer to a greater or less extent to the Republican policy of protection and the assaults that have been made thereon and the respective attitudes of the contending parties with reference thereto, it is entirely proper for me to suggest that the remarks that I thus make for that purpose will be entirely germane to the pending bill. It has been the privilege of the House during the last few days to witness upon this floor some very unusual and remarkable displays of parliamentary eloquence. The distinguished gentleman from New York [Mr. COCKRAN], with his splendid natural abilities and his magnificent talents, has contributed in a large and remarkable degree to that oratorical display.

I congratulate the gentlemen upon the other side; I congratulate the gentlemen upon this side; I congratulate the country upon the return of the distinguished gentleman from New York [Mr. COCKRAN] to legislative duties upon this floor as a representative of that great Empire State. [Applause on the Democratic side.] It affords me great pleasure to recognize his superb ability and his great capacities. It is a pleasure to meet him, it is a pleasure to know him, and it is an unalloyed pleasure, particularly at this time and under these circumstances, for me upon this side to hear him. I wish to say in the first instance, Mr. Speaker, that I was very much interested in the presentation made by my distinguished friend. The theories that underlie the doctrine of free trade are by no means new or novel.

The arguments that are supposed to sustain and maintain that chimerical and utopian theory for fiscal legislation have long been threadbare, frayed out, toil worn, travel stained, moth-eaten, and they now achieve a new distinction and attraction by their oratorical display from the gentleman from New York. [Applause on the Republican side.] I wish to call the attention of the House and of the country to the fact that the gentleman from New York spent little time in developing the metaphysical theories, the general line of argument and discussion that is supposed to lie behind and justify the doctrine of free trade. On the contrary, the gentleman from New York [Mr. COCKRAN], instead of arguing that proposition and presenting it in any degree as a logical condition, sustained by reason and argument addressed to this House and to the country, devoted his time largely to an assault—vituperative, vilifying, and, since the speech of the gentleman yesterday afternoon, I am compelled by an adherence to truth to say, a demagogic assault—upon the doctrine of protection to American labor and industry. [Applause on the Republican side.] I will not meet the gentleman upon that ground.

The gentleman mistakes epithets for argument and denunciation for demonstration. I will not degrade myself to the level of assault and vilification and vituperation in a discussion of a great question that concerns the welfare, the happiness, and the prosperity of a great people. [Applause on the Republican side.] I welcome any contribution to any public discussion that tends to illuminate the situation and contribute thereto information, no matter from what source it may come or what its inspiration may be, because in this country we are mainly interested, our constituents are interested, in the rightful determination of these great questions. The purpose of parliamentary deliberations should be the ascertainment and the development of the truth, and that involves, Mr. Speaker, contributions to the discussion from both sides.

Now, while I recognize, Mr. Speaker, that the performance of the distinguished gentleman from New York, for whom I entertain the highest degree of admiration, upon Saturday last was one of the finest laurels that he has added to his reputation during a long and illustrious career, I feel bound to say that his discussion added nothing to the sum of human knowledge and did not increase the store of human wisdom. [Applause on the Republican side.] If the gentleman had confined himself in the discussion to the metaphysical, logical, and syllogistical propositions that from the time of Adam Smith down through Peel and Cobden and Bright, until we reach men of this generation, have been relied upon by distinguished men for the purpose of sustaining that propaganda, it might perhaps have been thought necessary to indulge from this side in defense of this policy in equally theoretical discussion in answer thereto, but yet even then, Mr. Speaker, I should doubt somewhat the utility of that sort of discussion.

Abstract theories concern very little the people for whom we legislate. Mere abstract theory never filled a stomach, clothed

a back, built a cottage, started a mill wheel, moved a shuttle, or closed a soup house. What do they desire to know? The people want to know what the law we enact will do for the country. They are concerned very little as to what theory produces legislation, whether protection or free trade, but it is the result of the application of the theories in fiscal legislation that concerns the welfare, the prosperity, and the happiness of a great people, and it is by that standard that a little later I propose to treat some suggestions made by the distinguished gentleman from New York. No theory can long stand, no matter how metaphysically and how theoretically sound it may be, that can not stand the test of the stern and inexorable logic of events.

Bismarck, one of the greatest statesmen of our time—yes, of any time—well said:

I base my opinion on the practical experience of our time. I see countries under protection prospering and countries under free trade decaying.

Results determine whether or not the American people stand by a certain policy. And upon results the Republican party in this campaign will stand with its feet planted upon the rock. [Applause on the Republican side.] Before I reach a consideration of these suggestions, however, I wish to refer to some things which have occurred upon this floor in connection with this discussion that in my judgment require a little more than passing notice. The gentleman from New York [Mr. COCKRAN] in his speech on Saturday called attention to the fact that frequent demands had been made from this side of the House for the purpose of ascertaining what the issue would be in this campaign upon which two great parties would go before the American people and submit their contentions to arbitrament at the polls.

Until the gentleman arose in his place on Saturday and gave an answer to that question some doubt, perhaps, might have existed as to what the issue was to be. Now, for the time being, at this stage of the discussion, I assume that the gentleman from New York [Mr. COCKRAN] has the right to speak for the men who covered him with encomium and sustained him with uncontrollable enthusiasm on Saturday last. Mr. Speaker, I quote now from the notes of the speech of the gentleman from New York [Mr. COCKRAN], for I have not the benefit of the RECORD, as his speech has not yet been printed. He said:

This suggestion of a subsidy, which has brought forth this entire tariff discussion, presents therefore clearly the issue between the two parties. It presents the issue between seeking prosperity by government interference and by the independent labor of the citizen, between paternalism and individualism, between Republicanism and Democracy. [Applause on the Democratic side.]

That is to say, the issue between absolute free trade and protection. That there may be no doubt as to what kind of an issue the gentleman intended clearly appears from his next statement:

Mr. Speaker, the gentleman from Iowa [Mr. HEPBURN], who has just concluded, the gallant hero from Ohio [Mr. GROSVENOR], who is as brave in facing the reasons of his adversaries as the bullets of his enemies, have both challenged us to name the issue on which this Presidential campaign must turn.

I suppose he meant the alleged reasons of his adversaries.

Remember what I have just quoted as to what the issue was, the issue between free trade—bold, blatant, bare, and uncovered—and protection to American industry; that is what the gentleman stands for. Then, in order to make it absolutely certain that this was to be the issue, he says:

Why, sir, *this issue*—

Referring to the issue between free trade and protection—

is made clear by every word that has fallen from the lips of any Member of this House.

Now, whether he had in his mind the concluding suggestion of my distinguished friend from Missouri [Mr. CLARK] when he said that the bugle note of this campaign was to be tariff reduction and genuine reciprocity, or whether he had in mind the article written in the magazine by the distinguished minority leader of this House, I do not know; and let me say in passing, Mr. Speaker, that I have the highest admiration and respect, not only for the ability of the distinguished minority leader of this House, but for his character and integrity, and a little later I desire to put that integrity and that character to the test by some inquiries I propose to propound.

This, free trade against protection, was the issue on Saturday, applauded to the echo—aye, greeted with amens upon the other side—yes, greeted with howls and yells and cheers such as never have occurred in this assembly probably since the distinguished gentleman, Hon. William L. Wilson, was carried in triumphal procession upon the shoulders of his friends out of this room and returned thereto a stricken corpse in the shape of the Gorman-Wilson tariff bill. [Applause and laughter on the Republican side.]

That was on Saturday. A change came o'er the spirit of his dreams. Twenty-four hours roll around, forty-eight hours roll around, seventy-two hours roll around, and the gentleman from New York [Mr. COCKRAN] again addresses the American Congress, and incidentally thereto the American people. What then? Mr. Speaker, I am still deprived of the printed record of the second speech of the gentleman from New York [Mr. COCKRAN]; but the gentleman from New York [Mr. COCKRAN] then very mildly informed the House of his suggestion of the issue, although received, I am bound to say, in some quarters with more or less belated fervor, and the gentleman no doubt realized that when exposed to the air, when this skeleton of free trade had been taken from its prison house and exhibited to the country in all its nakedness and enormity, it was not greeted with that degree of cheer that he perhaps expected, when reflection ensued.

Yesterday he said the issue will not be the tariff, but it will be "the question of depriving you of the opportunity of robbing the Treasury of the proceeds of the revenue."

Now, let me make this suggestion to my friend. When the gentleman made that suggestion he well knew—I do not know that I will go so far as to say that—he ought to have known that it was without foundation. How much the gentleman knows about these things I do not quite understand, because I have here the notes of his speech, in which he suggests that the revenues collected for the purpose of carrying on the Government are, in some respects, collected in a manner that no one is able to ascertain; and yet, without money and without price, simply by a letter addressed to a Department of this Government, that can be ascertained in detail without any difficulty, indicating, perhaps, a lack of thorough study on the part of the gentleman from New York upon these great questions, and indicating the further fact that the gentleman is happier and more successful when he swings himself into the upper ether, with his feet away from the earth, unhampered by facts, to engage in these magnificent oratorical demonstrations. [Laughter and applause on the Republican side.]

But that was not the real reason for changing the issue. The gentleman from New York in that speech of Tuesday, drawn out by the controversy with my distinguished friend from Pennsylvania [Mr. DALZELL]—in which controversy I desire to say here and now I take no part, because it is no affair of mine—but in the speech drawn out by that controversy the gentleman from New York went further and said—not that this suggestion was the reason, that was thrown in merely because it filled the mouth with a well-rounded rhetorical period—the gentleman said they did not propose to make the tariff an issue because—why? Because they could not enact that proposition, as announced on Saturday last, into a law for four years, on account of the fact that the Republican party is intrenched in the Senate of the United States for four years to come. Now, that may be a source of satisfaction to the country, but it does not add anything to the weight of the gentleman's argument, or furnish a reason for his withdrawing the tariff as an issue, as I shall show in a moment.

Here is the proposition: The tariff was an issue on Saturday; on Tuesday, having discovered that it met, on reflection, with a chilly reception, he finds that the tariff is not an issue. Why? Simply because his party can not enact that principle into law. Then, we have the Democracy in this position in this campaign: They have no issue, because they have no principle that they can enact into law. Every other issue, outside of free trade, is afflicted with the same infirmity, so that they stand in this interesting position on the threshold of a national campaign, with no courage to stand behind or present any principle or any issue, because they can not make it the law of the land. [Laughter and applause on the Republican side.]

Therefore by this token they will have no principles and no issues in this campaign. Not so unusual a position for the Democracy as might at the first blush appear.

It may be that this accounts for this puerile and driveling and inconsequential nondescript known as the "Democratic platform" adopted in the recent New York convention, which attempts to work an infusion of confusion into the political situation. It may be that the gentleman from New York, coming from that convention, having been present at the adoption of the resolutions there, fully well understood that the Democracy did not dare to proclaim any proposition in that platform that had either beginning or end, application here or elsewhere, or had any idea of definiteness whatever connected with it, because, forsooth, the Democratic party can not enact any of their propositions into the law of the land. God be praised that they can not, because the country is protected from Democratic legislation for at least four years to come, no matter what may happen to the Presidency or to this Chamber.

Now, that is the attitude of our friends. What is there, then, in the absence of principles or issues that holds the Democratic party together to-day? Nothing under heaven but "the cohesive power of public plunder;" and their organization has well been characterized as a conspiracy for plunder and spoils—without principles and without issues; or, so far as the gentleman from New York is concerned, with an issue that he stays with and sleeps

with about three days before he hauls it in for temporary repairs. [Laughter and applause.]

But, Mr. Speaker, these are simply preliminary suggestions relating to the controversy now pending. We have platforms in this great country. The parties meet in national convention and lay down in their platforms the principles for which they are supposed to stand. Well, I feel bound to say that the platforms of some of these parties are open to the criticism suggested in the article written by our friend Dooley, when he described the candidacy of Admiral George Dewey for the Presidency of the United States.

You know Dooley said that he asked Mr. Dewey, "What'll I say your platform is?"

"Platform!"

"You have to stand on a platform."

"I do, do I? Well, I don't. I'll stand on no platform and I'll hang on no sthrap. What d'ye think the Prisidincy is—a throlley car?"

His idea was that a platform is something to get in on.

Now, too many of the platforms are of that character. My friends will meet in convention in St. Louis, after this demonstration here upon the floor of this House, that indicates more clearly than anything else can their real purpose, and, I am frank to say, the sincere purpose, the honest purpose, the courageous purpose of our friends upon the other side, because upon this question of the tariff we differ, not only congenitally, but constitutionally, fundamentally, and elementally, and there is great opportunity for wide and honest difference of opinion, and I concede to my friends upon the other side honesty and candor whenever—mark you—whenever and wherever they *stand* by the principles in which they believe. They will have a convention in St. Louis. They will there adopt a platform.

I challenge these gentlemen to write into that platform the sentiments and the attitude and the purposes as to the tariff disclosed by the gentleman from New York [Mr. COCKRAN] on this floor, amid this tremendous enthusiasm from the other side. If you will write it into that platform, we will bury that magnificent old ruin, otherwise known as the Democracy, so deep in November that no plummet will ever find it. [Applause on the Republican side.]

But, Mr. Speaker, my own judgment is that it is a matter of very small consequence, so far as we are concerned and so far as the country is concerned, what the platform may be that is adopted in St. Louis, because it is not altogether the platform that will tell the story. The gentlemen whom I am now addressing, sitting on the other side, men of intelligence, and character, and candor, and, so far as I know now, of courage, they are the men who will determine the policy of the Democratic party in the next American Congress, if the people of this country, by any suspension of their intelligence, or a lack of knowledge and perception, should inadvertently return them to power in this House.

So it is a matter of very small consequence to us, and of very small consequence to the country, as to what the platform in St. Louis may be. The distinguished gentlemen upon the other side, to a very large degree, have already been nominated for reelection, and I can express no kinder or heartier wish to the constituents they represent than by saying I hope they will be returned to this body hereafter as they have been heretofore. What we want to know, and what the country wants to know, is the policy that the gentlemen on the other side of this House propose to enact into law. Is it the policy of the speech of the distinguished gentleman from Missouri [Mr. CLARK], who reconciles himself with the extraordinary and peculiar position that if an unknown land could be discovered and peopled with some individuals who had a high degree of civilization, that there, on the virgin soil, with a new and a fresh opportunity, he would introduce them to the glories and the grandeur—and, I suppose, covered with the aurora borealis of the vivid imagination of the gentleman from New York [Mr. COCKRAN]—of free trade. That is his proposition; but lacking in that opportunity, he wants "tariff reduction and genuine reciprocity."

The gentleman from Mississippi [Mr. WILLIAMS] has his magazine article. Now, what I should like to ask gentlemen upon the other side is this: Do they stand upon the speech of the gentleman from Missouri? And I will say this, that the gentleman from Missouri very loyally and very appropriately and very suggestively approved the magazine article of the gentleman from Mississippi. He said "Me, too! Me, too!" when he had read that. Do they stand upon that, or do they stand upon the speech made by the distinguished gentleman from New York [Mr. COCKRAN], the newly risen leader of the Democracy—their Ajax of debate and parliamentary eloquence, that they all stand behind? Will you indorse his propositions? Do you stand by his attitude? Do you believe in his purposes? Do you propose to enact them into law? I do not know that we can ascertain that fact here and now, but I propose in my time to give the distinguished gentlemen upon that side an opportunity to say, by yes or no, or by any modification or equivocation of yes or no, whether they now stand by the principles that they applauded on Saturday last. Do you approve, or do you disapprove?

It is clear to the country, and it will be upon every stump in this country, what your purpose is as well as your religious belief—because there is nothing on earth except religious belief that will enable men continually to adhere to a theory that has been universally discredited in practice in the American Republic for the last forty years. [Applause on the Republican side.] I want to give you an opportunity now to say: Do you approve or do you disapprove of the theory or the sentiments of the speech of the gentleman from New York? We are entitled to know, the country is entitled to know, and I ask the distinguished leader of the minority now, does the leader of the minority approve the speech of the gentleman from New York [Mr. COCKRAN] and his platform in this campaign, or does he disapprove of it? I can not compel the gentleman to answer. I will propound the question again.

Mr. WILLIAMS of Mississippi. "The gentleman" will have time to answer in his own time.

Mr. LITTLEFIELD. I understand the gentleman will have time to answer in his own time, but it does not take long to say yes or no in my time. [Applause on the Republican side.] I understand that the gentleman has all the time he wants. They will step out to the fife and drum; they will drum their discontented and dissevered cohorts together, and with the finesse of his speech the gentleman from Mississippi may undertake to make somebody believe that they both approve and disapprove of the speech of the gentleman from New York [Mr. COCKRAN]. [Applause on the Republican side.]

Now, I ask the gentleman, and he can take his own time—I do not desire to be disagreeable—Do you approve or do you disapprove? Will you say, and will you say now, or will you remain in your seat and wait until you get your time, when, with your ingenuity better collected, you can frame a more ingenious answer to that conundrum? [Applause on the Republican side.] I pause for an answer. [No answer.]

Well, I will go over to the gentleman from Missouri [Mr. CLARK], who is doing me the great honor of listening to me, and I appreciate it. I have a very great admiration for the abilities of the gentleman from Missouri. I will go to the gentleman from Missouri. I want you to bear in mind this fact that the gentleman from Mississippi [Mr. WILLIAMS], the gentleman from New York [Mr. COCKRAN], the gentleman from Missouri [Mr. CLARK], and the gentleman from Texas [Mr. COOPER] are members of the Committee on Ways and Means. I have forgotten who is the other Democratic member of that committee. I do not wish him to feel that he is unknown to fame, but——

Mr. PAYNE. Mr. ROBERTSON of Louisiana.

Mr. LITTLEFIELD. Oh, yes; the gentleman from Louisiana, and I have something to say about Louisiana before I get through. I have a great respect for that State, and voted with him on some questions upon this floor.

I want to ask the gentleman from Missouri whether he will say "yes" or "no?" Does he disapprove, or does he approve? I pause for a reply.

Mr. CLARK. If the House will give me an hour, you will hear that I will knock some of the props out from under your speech. [Loud cheers on the Democratic side.] No man by answering "yes" or "no" can here reply to one hour of cheap demagoguery. [Laughter and applause on the Democratic side.]

Mr. LITTLEFIELD. I suppose that the gentleman from Missouri wants an hour to indulge in villification and vituperation?

Mr. CLARK. No, sir.

Mr. LITTLEFIELD. Now, I am willing that the gentleman shall say "yes" or "no." He was here on Saturday when that speech was made. Did the gentleman hear it? Did not the gentleman applaud it? Had it the gentleman's approval or not?

Mr. CLARK. I reply that if the House will give me an hour I will answer your speech. [Cries of "Answer!" "Answer!" on the Republican side.] I will say, so far as I am concerned, I have not shortened this time.

Mr. LITTLEFIELD. I have not shortened it, I will say to the gentleman from Missouri.

Mr. CLARK. But your side have.

Mr. LITTLEFIELD. I am willing to give the gentleman from now until the end of the campaign to answer the speech.

Mr. CLARK. Oh, yes.

Mr. LITTLEFIELD. But all you have got to do now is to say "yes" or "no."

Mr. CLARK. Well, now I will make you a fair proposition: [Cries of "Answer the question!" on the Republican side.] You and I will hire a hall downtown after Congress adjourns and debate this proposition. [Loud cheers on the Democratic side.]

Mr. LITTLEFIELD. Now, I have listened to the hilarity on

the other side. Will any other man rise in his place and tell me whether that means "yes" or "no?" [Loud applause on the Democratic side.]

Mr. BAKER. I will answer. [Great laughter.]

Mr. LITTLEFIELD. "Fools rush in where angels dare not tread." [Laughter and applause on the Republican side.]

Mr. BAKER. I will give you an answer.

The SPEAKER pro tempore (Mr. LAWRENCE). The gentleman is not in order.

Mr. LITTLEFIELD. Now, I congratulate the gentleman from New York [Mr. COCKRAN] upon the apparent fact that he has one follower left. There is one man left on the Democratic side who has the moral courage to say that he is ready to give an answer. He could have said "yes" or "no" while he was trying.

Mr. BAKER. You refused me an opportunity. [Great laughter.]

Mr. LITTLEFIELD. Well, now, I suppose I ought to be frank, and I had a reason for that. It did not impress me that any suggestion that the gentleman from New York might have concealed about his person would very much tend to illuminate the question under discussion. [Laughter on the Republican side.]

Mr. BAKER. You had better accept the challenge of the gentleman from Missouri for a joint debate on that.

The SPEAKER pro tempore. The gentleman is out of order.

Mr. LITTLEFIELD. I would like to say about that entire matter, Mr. Speaker—I would like to say to the gentleman from Missouri that while I feel greatly indebted to him for his kindness and his courtesy, I have not been on the lecture platform in that capacity, but I am not Mr. William Jennings Bryan and engaged in the business of hiring halls for the purpose of enabling me to communicate my views. [Laughter.]

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LITTLEFIELD. Certainly.

Mr. DE ARMOND. Mr. Speaker, I wish to venture an answer to the gentleman, to some extent. Now, if the gentleman really desires information as to what we think upon this side of the House—— [Cries of "Yes or no" from the Republican side.]

Wait a moment. If the gentleman wishes information upon our position, if he actually desires some gentleman over here to state it—for if he does not wish that his play of asking a certain question over and over again is purely play—I will say what I think the position of the Democrats is with respect to the tariff, to take off or to lower duties wherever the duties as they now are shelter trusts or enable people to manufacture things in this country under those duties——

Mr. LITTLEFIELD. The gentleman does not wish to project himself into this for the purpose of making a speech.

Mr. DE ARMOND. No; I do it for the purpose of gratifying the gentleman and giving him information, if he really wishes it. [Applause on the Democratic side.]

Mr. LITTLEFIELD. May I make this suggestion? I know the gentleman from Missouri to be a man of extraordinary and unusual intelligence and acuteness of perception. The only question I asked was this: When you heard the gentleman from New York [Mr. COCKRAN] make his speech on Saturday, without any equivocation, with courage and with frankness that does great credit to his intellectual integrity and his political courage, he declared with no uncertain sound what his view of this question was. Now, if the gentleman agrees with him, I submit with great candor that he can say yes or no. He can say that he does or he does not. If the gentleman does not agree with him I do not care to have the discussion at this time illuminated by the gentleman's suggestions, although I have very great respect for the gentleman. This is a simple proposition. Does the gentleman approve of that speech or disapprove of it?

Mr. DE ARMOND. Let me answer it in my own way——

Mr. LITTLEFIELD. Let me ask——

Mr. DE ARMOND (continuing). And that is that each man over here has his own opinion and expresses it and is responsible for it.

Mr. LITTLEFIELD. Will the gentleman from Missouri be kind enough to express his opinion? I ask the gentleman not to take up my time, because I have only fifteen minutes more, and I have not begun this speech yet. Will the gentleman be kind enough to express his opinion? I do not insist upon a categorical answer. Does he approve or does he not approve? Is not that a fair proposition? Is not that plain? Does the gentleman approve or disapprove of any part of the speech made by the gentleman from New York?

Mr. DE ARMOND. I will answer, but I will preface the answer, however, by saying that no man is authorized to state the position of the Democratic party, and the other men are not bound by what is stated by any particular man.

Mr. LITTLEFIELD. I asked for the gentleman's individual opinion.

Mr. DE ARMOND. The gentleman from New York spoke for two hours and embraced a world of propositions. As to the effect of that speech and as to the purpose of that speech to drive into absolute, abject silence and helplessness the people upon the other side of the House I fully approve and indorse. [Applause on the Democratic side, and cries of "Oh! Oh!" on the Republican side.]

As to the opinion of the gentleman from New York upon the tariff question, I think I am of the opinion that as to that matter I am better qualified to express my views, than he is to express my views. I leave him to express his views and when I have opportunity I will express mine. [Derisive cries on the Republican side.]

Mr. LITTLEFIELD. Do not interrupt.

Mr. DE ARMOND. The Democratic party is declaring for a revision of the tariff so as to drive from shelter behind it the trusts that are now robbing the people; they will declare for taking off the duty or lowering the duty whenever the effect of its imposition has been and is demonstrably to enable the people benefited by that duty to rob at home and to sell their wares cheaper abroad. [Applause on the Democratic side.] Is the gentleman opposed to that?

Mr. LITTLEFIELD. The gentleman will state his position, if he gets time, on the floor of this House, when he reaches it.

Mr. WILLIAMS of Mississippi. Yes or no—is the gentleman opposed to that? Is the gentleman opposed to what the gentleman from Missouri [Mr. DE ARMOND] said then—yes or no?

Mr. LITTLEFIELD. Yes; I am.

Mr. WILLIAMS of Mississippi. The gentleman is opposed to the statement made by the gentleman from Missouri [Mr. DE ARMOND]?

Mr. LITTLEFIELD. Wait a moment.

Mr. WILLIAMS of Mississippi. I know. The gentleman is not only making his speech, but is asking questions and insisting upon an answer, yes or no. Now, then——

Mr. LITTLEFIELD. I will answer it; but I shall answer it when I get ready, just as the gentleman says he will answer it. [Laughter on the Democratic side.] I will not answer it now. [Laughter on the Democratic side.] Oh, do not get disturbed. [Cries of "Yes or no!" on the Democratic side.] Mr. Speaker, I decline to yield further. [Laughter and applause on the Democratic side.] Mr. Speaker, I decline to yield further unless the gentleman from Missouri [Mr. DE ARMOND] will answer the question I have asked him. [Applause on the Republican side.]

Mr. DE ARMOND. Mr. Speaker——

Mr. LITTLEFIELD. Now, brethren, you need not think that you are disturbing the other side, because you do not.

Mr. DE ARMOND. Mr. Speaker, I am not trying to disturb the gentleman; I am trying to accommodate him.

The SPEAKER pro tempore (Mr. LAWRENCE). Does the gentleman from Maine yield to the gentleman from Missouri [Mr. DE ARMOND]?

Mr. LITTLEFIELD. Only to answer that question which the gentleman has not answered.

Mr. DE ARMOND. Mr. Speaker, I wish to suggest to the gentleman from Maine [Mr. LITTLEFIELD] what, in the confusion, he evidently did not hear or has overlooked—that I had just put to him a categorical question, requiring an answer, yes or no, as to whether he is in favor of such tariff revision as will drive the trusts from the shelter behind the tariff wall, such tariff revision as will take off all that part of the duties on such articles as those who have profited by them are selling abroad cheaper than they are selling at home? I would like to have an answer, yes or no, to that. [Cries of "Yes or no!" on the Democratic side.]

Mr. LITTLEFIELD. Mr. Speaker, gentlemen on the other side need not feel disturbed, for if time furnishes opportunity they will hear exactly my views on that proposition, and they will hear it yes or no. But I wish to state that I am not to be diverted by the distinguished gentleman from Missouri [Mr. DE ARMOND], elusive and oily as he is, from obtaining an answer to the question I put to him. [Applause on the Republican side.]

Mr. DE ARMOND rose.

Mr. LITTLEFIELD. Is the gentleman through answering—not making a speech? The gentleman understands the proprieties of this situation.

Mr. DE ARMOND. Oh, yes.

Mr. LITTLEFIELD. At least I think he does.

Mr. DE ARMOND. The gentleman thinks he does, too; but the gentleman from Maine [Mr. LITTLEFIELD] unwittingly and unintentionally does the gentleman from Missouri an injustice. The gentleman from Missouri, observing the great perturbation of the gentleman from Maine [Mr. LITTLEFIELD] and the anxious desire of the gentleman from Maine [Mr. LITTLEFIELD] to have the gentleman from Missouri [Mr. DE ARMOND] say something at a particular time, undertook to accommodate the gentleman, if he could.

Mr. LITTLEFIELD. Is that all? [Laughter and applause on the Republican side.]

Mr. DE ARMOND. That is all, unless the gentleman needs some more.

Mr. LITTLEFIELD. So that the gentleman rose in his place and proceeded not to answer the question and not to illuminate the question?

Mr. DE ARMOND. I did answer the question.

Mr. LITTLEFIELD. Perhaps the gentleman wishes to go and hire a hall himself. [Laughter on the Republican side.] Perhaps the gentleman also wants to invite the gentleman from Maine [Mr. LITTLEFIELD] to join him in hiring a hall.

Mr. DE ARMOND. I said I answered the gentleman's question.

Mr. LITTLEFIELD. The gentleman has not answered it and he knows he has not. The gentleman undertook to answer the question by asking the gentleman from Maine [Mr. LITTLEFIELD] another question.

Mr. DE ARMOND. Oh, I will answer it.

Mr. LITTLEFIELD. Well, is that all the answer the gentleman will make?

Mr. DE ARMOND. No; I would like to answer more, if the gentleman desires me to.

Mr. LITTLEFIELD. No, not on that same line. If the gentleman from Missouri [Mr. DE ARMOND] is willing to rest in the RECORD with the assertion that he has made anything like an ingenuous and fair and decent effort to answer that question, I am willing to leave it in the RECORD in that way, and I will call his attention to this fact——

Mr. DE ARMOND rose.

Mr. LITTLEFIELD. Mr. Speaker, I do not yield any further now. I am through with seeking that kind of information from the gentleman from Missouri [Mr. DE ARMOND]. [Applause on the Republican side and laughter on the Democratic side.] I have clearly demonstrated that no gentleman on the other side dares deny that he approves of the free-trade declarations of the gentleman from New York [Mr. COCKRAN], which were applauded with such uncontrollable enthusiasm, nor do they dare deny that they propose to enact them into law when opportunity is afforded. Now, let me call the attention of the gentleman from Missouri [Mr. DE ARMOND] to this fact. The gentleman seems to be disturbed by trusts, and I trust that he may have read the platform adopted by the late Democratic convention in New York, upon which the great unknown and recently discovered is expected to be nominated and make this run for the Presidency. Let me read this to the gentleman:

Corporations chartered by the State must be subject to just regulations—

By whom do you think?

by the State in the interest of the people.

[Applause and laughter on the Republican side.]

When they are defining the regulations to which corporations must be subjected and confine it to the State, the inference is that they intend to exclude Federal control.

The Republican party says that these corporations must be subject to regulation by the State, and in addition thereto, by the Federal Government, the latter being the only body that can effectively regulate them. Go into this campaign and ratiocinate about trusts with pharisaical and hypocritical declarations in relation thereto, and have facing you this proposition of the convention of the State of New York, that you propose in effect to take corporations out from under interstate control and put them under State control. By that interesting process—dictated, I understand, by August Belmont of New York—you eliminate the Federal control of trusts and combines and the opportunity to regulate and control interstate commerce, so far as it may undertake to drive out trade monopolies.

Having spent some considerable time in unavailing efforts to acquire information from our friends on the other side or to get an answer from them, I will proceed with the discussion. The country will judge whether the Democratic party that sat here and vociferously applauded that speech on Saturday last, with its free-trade theories, does or not in its heart approve of its sentiments, though it has not a man who dares stand in his place, excepting, perhaps, the other distinguished gentleman from New York [Mr. BAKER], and say that he now approves of it. Even the distinguished gentleman from New York [Mr. COCKRAN] who made it does not stand by it. He withdrew it in terms on this floor yesterday afternoon.

What does the Democracy really mean? Are the Democracy in favor of free trade? Do they believe in it; and after this manifestation of their attitude, if they are ever vested with power will they enact it into law? The Democratic party stands to-day at the parting of the ways. One way lies honesty, integrity, consistency; their real conviction and belief, free trade; but at the end of that way is certain defeat. The other way is hypocrisy and deceit and the hope that they may cajole the people into believing that they will not injure any industry if intrusted with power. At its end, if the goal is reached, dangles the Presidency and the House of Representatives. So far as it has a conscience and a real belief, it is drawn toward defeat: but the attraction of the flesh pots of Egypt will turn them from the way of rectitude to that of deceit, with the hope of success, however dishonorable. Infirm of purpose, of course they tremble.

Gentlemen should not be affrighted at their shadows, because people who are affrighted at their shadows gradually shrivel and shrink and dwindle until they are not able to cast even a shadow, and the Democracy would hardly want to get into that position, I take it.

I want to call attention to a suggestion made by the gentleman from New York as to prosperity. The gentleman has a very theoretical definition of prosperity. He says there is no prosperity unless it is attained or demonstrated under the formula suggested by him. The gentleman has this great peculiarity: He is not satisfied with the existence of any known fact unless he can account for it in some way by the exercise of his theorizing or reasoning or syllogistic powers. If he were to be asked whether the sun shone, he would be likely to say: "It is now well settled that the sun is a stationary and luminous body, that the earth revolves on its axis once in twenty-four hours, and during that period every part of the earth's surface at some point of time is exposed to the sun. It is now 5 minutes of 3 p. m; the sun rose at a certain time, say 6.30 a. m.; therefore the sun now shines on this particular part of the earth's surface." [Laughter.]

Now, the ordinary mortal looks out and says, "The sun is shining." He knows it without any process of ratiocination or unusual and extraordinary reasoning.

When the gentleman from New York strikes this question of prosperity, he is troubled by the same difficulty. The ordinary citizen looks out over the land and ascertains whether or not prosperity blesses the country by observing whether or not wage-earners are employed, whether business is profitable, whether the mills are moving, whether the soup houses have been extinguished. And if the wage-earners are profitably employed and money and products are being accumulated and distributed throughout the community, then we have prosperity. But the gentleman from New York says:

Now, sir, if this definition of prosperity be correct it follows that any system that tends to swell the production of commodities is the system that produces for the happiness and welfare and the prosperity of a people.

I will take the gentleman's definition, and I will try the results of protection by that definition. "Any system that tends to swell the production of commodities" is the system that gives prosperity to the people.

In 1890 the amount of the annual productions of this country, agricultural, mining, and manufacturing, aggregated $12,452,193,662. In 1900 they aggregated $17,867,076,272. And I want to call attention to the fact that this vast amount of production was beyond all question largely consumed in our own country, because our exports during the last few years have been only about $1,200,000,000 and our imports something like $800,000,000, making the balance of trade in our favor some five or six hundred millions, as the case may be; so that this vast amount of production, seventeen billions, is consumed by our people.

It is not hoarded: it is not piled up in the banks; it is not stored away. It is manufactured product; it is agricultural product: it is the product of the mine. The gold and silver amounted to only about $173,000,000. It must have been distributed among the great mass of the people, as they, as distinguished from the wealthy few, are the consumers of these products. This shows an increase of production during that period of $5,414,882,610. This extraordinary increase has taken place notwithstanding the fact that the years of 1894, 1895, 1896, and 1897, of Democratic Administration, were years of deficit in the Treasury, accompanied with a paralyzing panic that threw labor out of employment and arrested the development of production, painful facts which makes the increase all the more remarkable.

How does that indicate any progress and development? Well, the percentage of increase of production from 1890 to 1900 was 0.43. To be sure, we have increased in population during that time, which increase was not affected by the years of panic and disaster. But the percentage of increase of population is 0.21 and the percentage of increase of production is double the percentage of the increase of population. The amount of production per capita in 1890 was $199; in 1900 it was $234, or $35 per capita more in 1900 than in 1890. So that if it were necessary to demonstrate a palpable and obvious fact that has been conceded upon the other side of this House during this session over and over again, that magnificent prosperity now blesses this country, we have the demonstration by the actual figures involved in its development. One test is therefore successfully met, and this is his supreme test. This was under the "system" of protection.

Now, I wish to refer, if the Chair please, to another proposition involved in the demonstration of the propriety and wisdom and utility and value of the Republican policy of the protection of

American labor and industry. And in connection with this I will invoke a speech made by the distinguished gentleman from New York [Mr. COCKRAN] in the Fifty-third Congress when the Gorman-Wilson bill was under consideration. In that speech the gentleman referred to the McKinley bill. The author of it having discovered that there was no tin-plate production or manufacture in this country, and believing that there was capital and labor ready to embark in its production, provided for a tariff that, in his judgment, would develop an entirely new industry in the Republic. The industry began to develop in the middle of 1891. In 1894 the distinguished gentleman from New York [Mr. COCKRAN] referred to this industry as follows:

I have already conceded that by protection you can diversify industries. I concede, for instance, that your tariff may have operated to start a tin-plate industry in this country. [Laughter on the Democratic side.]

Treated it more or less as a joke, you see.

I have always heard the existence of tin-plate factories disputed—

At that very time they had increased from a production of 2,000,000 pounds in six months to a production of 160,000,000 pounds per year.

I have always heard the existence of tin-plate factories disputed; whether they exist in this country or not is one of the questions which are as puzzling to the human mind as the identity of the man who wore the iron mask, but I am willing to concede that you may have started a tin-plate industry under your tariff, because I know that you can start it if you put the tariff high enough. You can start almost any industry in this country, no matter what the cost of production may be, no matter how much it may exceed the cost of production in any other country, if you impose a sufficiently high tariff on it and there be a demand for the article in this country. Now, that is a large concession to the high-protection doctrine. I admit that you can diversify industry by legislation; but the question is, should you do it? *Is it for the best interests of all the people of this country that you should do it?*

I think that is a very fair statement of the test that should be applied to the theory of the protective tariff and to the operation of its legislation. By that test I propose to measure the Republican policy.

I want to call the attention of the distinguished gentleman from New York [Mr. COCKRAN], and I want to call the attention of my friends on the other side to the fact that this tariff legislation originated by William McKinley in 1890 amply sustains that test. By it, for the first time, a tariff was imposed upon tin. It operated for about six months in 1891, and during that time there were 2,000,000 pounds of tin plates manufactured. In 1902 there were 819,000,000 pounds manufactured. In 1900 the capital invested in that industry was $28,000,000. The amount annually paid for wages was $10,000,000, the number of wage-earners employed 14,843, the value of the product was $41,322,000, and the estimated wages paid since 1901 are $100,000,000. Here we have $10,000,000 wages per annum, 14,843 people employed, $41,000,000 the value of the product, and $100,000,000 paid in wages since the development of this industry. Well, from some points of view that would be held to demonstrate the efficiency and success of this legislation. The distribution of this vast sum in wages and the employment of this large number of persons, to anyone but a free trader, would seem matters of the first consequence.

But the gentleman from New York [Mr. COCKRAN] says that this policy is plunder; that it is a robbery of the people; that it is levying tribute upon the many for the benefit of the few; that these sums are plundered from the people engaged in other industries. Now, let me call the gentleman's attention to the fact that the cost of tin plate in this country per hundred pounds in 1891 was $5.30. This was the price the domestic consumer paid for imported tin at that time. In March, 1904, the cost to the domestic consumer of tin of domestic manufacture was $3.65. In other words, tin plate costs to-day to the domestic consumer per hundred pounds, under the operation of the protective tariff, $1.65 less per hundred pounds than it cost in 1891, when the tariff went into operation and he supplied himself with the imported article. But that does not establish the whole proposition. The gentleman from Missouri [Mr. CLARK] said the other day that when the gentleman from Iowa [Mr. HEPBURN] made his suggestion in regard to steel rails that there had been the same reduction in the price of steel rails the world over. Now, if it is true that there has been a corresponding reduction in the price of tin plate abroad compared with the reduction at home, the suggestion of the gentleman from Missouri would be applicable here.

But what is the fact? I have said that in 1891 imported tin plate cost the domestic consumer here $5.30 per 100 pounds. What did the same plate cost abroad before importation? Three dollars per 100 pounds.

Mr. WILLIAMS of Mississippi. Will the gentleman give me those figures?

Mr. LITTLEFIELD. Certainly. Tin plate cost here in 1904, in March, this very last March, $3.65 per 100 pounds.

Mr. WILLIAMS of Mississippi. I did not catch the earlier prices.

Mr. LITTLEFIELD. In 1891 the domestic price of imported tin plate was $5.30 in New York. In March, 1904, the domestic price in New York of tin of domestic manufacture was $3.65, a reduction of $1.65 per 100 pounds.

In 1891 the price was $3 per hundred pounds abroad. If there had been a corresponding reduction in the cost abroad as in the cost or price here, there would be very little in the proposition. Now, what I say is, that the price of 1903 abroad was $2.90 a hundred pounds, a reduction of only 10 cents. In other words, there has been a saving by virtue of the operation of a protective tariff in connection with the tin industry during this period from 1891 to 1904 to-day of $1.65, and taking off the 0 cents makes it $1.55 per hundred pounds. If you had the same reduction abroad as has occurred at home under this robber McKinley tariff, you would have a price abroad to-day of only $1.35 a hundred pounds instead of $2.90. Multiply 819,000,000 pounds, the annual production at the present time, by 1.55, instead of 1.65, to allow for the reduction in price abroad of 10 cents, and you have $12,694,500 as the sum that we would now be paying for imported tin in excess of what we now pay for the domestic product if there were no tariff.

If we were buying to-day imported tin, as we were in 1891, and as we would be but for the protective tariff, we would be paying therefor $5.20 instead of $3.65 per 100 pounds.

In other words, a saving to the American consumer of $12,694,500 by reason of the operation of domestic competition under the protection afforded by the tariff, "puzzling though it may be to the human mind" in some instances. It is estimated that at least $75,000,000 have been thus saved to the American consumer by the operation of the tariff since 1891. This is an illustration of how in practical operation the tariff robs and plunders the people and of how vicious paternalism may be.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that the time for taking this vote be extended for thirty minutes, half of the time to be used by the gentleman from Maine and the other half by the gentleman from Mississippi.

The SPEAKER. Is there objection?

Mr. BAKER. I object, Mr. Speaker. [Great laughter.] I can not be insulted upon this floor and then extend any courtesies.

Mr. GROSVENOR. I move that the time for taking the vote shall be extended until 30 minutes after 4.

The SPEAKER. It seems to the Chair that a motion is not in order to extend the time for debate.

Mr. GROSVENOR. I hope the gentleman from New York will withdraw his objection.

Mr. BAKER. "The gentleman from New York" will withdraw his objection only when he gets an opportunity to answer those insulting taunts of the gentleman from Maine. There! [Laughter.]

CLARA M. GIHON.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent to call up the conference report on the Senate bill 128, and ask the House to agree to the report.

The SPEAKER. The gentleman from New Jersey asks to call up the following conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 128) granting an increase of pension to Clara M. Gihon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.
P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

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

This bill originally passed the Senate at $36 per month, but was amended in the House to $30 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $30 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

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

Mr. LOUDENSLAGER. I move the adoption of the report, Mr. Speaker.

The motion was agreed to.

ANNIE COLT M'COOK.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3489) granting a pension to Annie Colt McCook, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

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

This bill originally passed the Senate at $50 per month, but was amended in the House to $30 per month. The result of the conference is that the House recedes from its amendment, and your conferees recommend that the bill pass at $50 per month, as it originally passed the Senate.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, out of whose time is all this going on?

The SPEAKER. Why, it comes out of the time of the House for the consideration of all privileged reports—namely, a conference report.

Mr. WILLIAMS of Mississippi I understand that; but the time that has been taken up in other ways?

The SPEAKER. The Chair supposes it comes out of the time of all the people. [Laughter.]

Mr. WILLIAMS of Mississippi. Now, the agreement was that the time was to be equally divided. That is the question I am asking about.

The SPEAKER. All the time of the gentleman from Maine has expired.

Mr. CLARK. Mr. Speaker, I want to renew the request made by the gentleman from Ohio.

The SPEAKER. One moment. Here are some conference reports.

Mr. CLARK. I beg pardon; I thought that was all through with.

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

Mr. LOUDENSLAGER. I move the adoption of the report.

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

MARTHA W. CUSHING.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the following conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

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

This bill originally passed the Senate at $35 per month, but was amended in the House to $30 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $30 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

Mr. LOUDENSLAGER. I move the adoption of the conference report, Mr. Speaker.

The motion was agreed to.

MARY H. CORNELL.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on Senate bill 76 granting a pension to Mary H. Cornell.

Mr. BARTLETT. Are these privileged matters?

Mr. LOUDENSLAGER. Yes.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of the following conference report.

Mr. BARTLETT. I desire to know whether this requires unanimous consent?

Mr. LOUDENSLAGER. This is a conference report.

Mr. BARTLETT. Has it been printed in the RECORD?

Mr. LOUDENSLAGER. They have not. That is the reason I am asking unanimous consent.

Mr. BARTLETT. I do not want that to come out of the time——

The SPEAKER. Oh, no; the time is not running at all as coming out of that agreement. The gentleman from Maine has had his hour under the agreement, and the other side has an hour, and the hour is not running.

Mr. BARTLETT. All right, sir.

The SPEAKER. Is there objection to the consideration of the conference report? [After a pause.] The Chair hears no objection.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 76) granting a pension to Mary H. Cornell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agrees to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON.
Conferees on the part of the House.

N. B. SCOTT,
P. J. MCCUMBER,
Conferees on the part of the Senate.

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

This bill originally passed the Senate at $12 per month, but was amended in the House to $8 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $8 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

Mr. LOUDENSLAGER. I move the adoption of the report.

The report of the committee of conference was agreed to.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, Mr. STEVENS of Minnesota obtained leave to withdraw from the files of the House the papers in the case of the bill H. R. 14139, no adverse report having been made thereon.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. CLARK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. CLARK. I rise for the purpose of repeating the request of the gentleman from Ohio [Mr. GROSVENOR] that Mr. LITTLEFIELD, of Maine, have fifteen minutes to conclude his speech, and that we have one hour and fifteen minutes on this side, to be controlled by the gentleman from Mississippi [Mr. WILLIAMS], and that the time of the vote be postponed to correspond with that request.

The SPEAKER. Is there objection?

Mr. GROSVENOR. And that the order for the previous question shall stand as it is now.

Mr. CLARK. I do not care whether it stands or not.

The SPEAKER. Without objection, it is so ordered.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. PARKER. Mr. Speaker, I rise to present a conference report on the Military Academy appropriation bill, and I ask unanimous consent that the report may now be considered and that the statement be read instead of the report.

The SPEAKER. Is there objection?

Mr. HAY. I object, Mr. Speaker.

REPORT FROM COMMITTEE ON RULES.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report.

The SPEAKER. The gentleman from Pennsylvania submits the privileged report which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 354, have had the same under consideration and ask leave to report the same with the recommendation that it do pass.

The resolution was read, as follows:

Resolved, That section 2 of Rule XXIX (requiring reports of managers of conference to be printed in the RECORD before action thereon) be, and hereby is, suspended for the remainder of the present session of Congress.

Mr. DALZELL. Mr. Speaker, the purpose of the resolution is to suspend the rule which requires the printing of a conference report in the RECORD before it can be considered in the House for the remainder of this session. It is the customary proceeding at this stage of the session, and I move the previous question.

The SPEAKER. The gentleman demands the previous question.

The previous question was ordered.

Mr. WILLIAMS of Mississippi. Mr. Speaker, what is the question upon which we are now voting?

The SPEAKER. The question is now upon agreeing to a resolution to suspend the rule requiring the printing of conference reports in the RECORD for the remainder of this session.

Mr. WILLIAMS of Mississippi. If the gentleman will limit that by saying for two days, I have no objection; but I would not care to have it run a week.

Mr. PAYNE. The previous question has been already ordered, and we are not going to stay a week.

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

MESSAGE FROM THE SENATE.

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

H. R. 7056. An act creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;

H. R. 6049. An act granting an increase of pension to Peter B. Phillips;

H. R. 940. An act granting a pension to Oscar M. Parsons;

H. R. 11586. An act to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

H. R. 13088. An act to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax; and

H. R. 11135. An act amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States. by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. PARKER. Mr. Speaker, I desire to call up the conference report on the Military Academy appropriation bill, and I ask unanimous consent that the statement, which is very full, may be read instead of the report.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement 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. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 15, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 24, 25, and 26, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "forty-five" and insert in lieu thereof the word "forty-seven;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "six" and insert in lieu thereof the word "one;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "fifty-three thousand and ninety-six;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In line 4 of said amendment, after the word "available," insert "immediately and;" in line 8 of said amendment, after the word "available," insert "except for purchase of lands and water rights;" and after the word "dollars," in line 12, insert "including the one hundred thousand dollars appropriated by act of June twenty-eighth, nineteen hundred and two;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Beginning in line 4 of said amendment strike out the following: "construction of such buildings as are most immediately necessary" and insert in lieu thereof the following: "necessary construction of cadet barracks and such buildings as shall be needed to replace buildings removed in such construction of cadet barracks;" and the Senate agree to the same.

R. WAYNE PARKER,
F. W. MONDELL,
WM. SULZER,
Managers on the part of the House.

F. E. WARREN,
R. A. ALGER,
JO. C. S. BLACKBURN,
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 amendments of the Senate to the bill (H. R. 13860) entitled "An act making appropriation for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes," make the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on the amendments:

Amendment No. 1 gives the first sergeant of the general army service $34 a month instead of $25; and the House recedes.

Amendments Nos. 2 and 3 correct totals: and the House recedes.

Amendments Nos. 4, 5, 6, and 7 struck off one Spanish instructor, at $2,000; and the Senate recedes.

Amendment No. 8 gave a new clerk and stenographer at $1,200 instead of $600; and the House recedes.

Amendments Nos. 9 and 10 made a typewriter and copyist available all over the library, instead of in one department; and the House recedes.

Amendments Nos. 11 and 12 allow the appointment of this and another such clerical assistant by the Superintendent; and the House recedes.

Amendment No. 13 corrects an addition of figures.

Amendment No. 14 adds $500 to the expenses of Board of Visitors to cover probable mileage; House recedes.

Amendment No. 15 adds $500 to contingencies for Superintendent; Senate recedes.

Amendment No. 16 allows $35,000, instead of $33,000, for general repairs and improvements; and House recedes.

Amendment No. 17 makes an item $450 instead of $400, to agree with the appropriation of last year.

Amendment No. 18 corrects a total.

Amendment No. 19 provided for the printing by the Public Printer of 6,000 copies of the Jubilee Centennial History—1,000 for the Senate and 2,000 for the House, the balance to be distributed under the direction of the Secretary of War—at a cost of $5,500; House recedes.

Amendment No. 20, $110 for a typewriter; House recedes.

Amendment No. 21, "For the policing of the barracks, supplying light and plain furniture for the cadets, $9,000," takes these expenditures off the cadets, including cleaning buildings, shoes, varnishing belts, and other menial work; and the House recedes. These expenses cost each cadet last year $21.18. The amendment removes that charge from their salary.

Amendment No. 22 provides for maintaining a school by teachers employed by the Superintendent, $3,520; Senate recedes.

Amendment No. 23 corrects a footing; House recedes with an amendment.

Amendments Nos. 24 and 25 adds $500 for repairing and renewing the roof of the cadet laundry; House recedes.

Amendment No. 26 simply strikes out the words "to be expended without advertising;" and House recedes.

In amendment No. 27 House recedes, with an amendment to perfect the provision about water supply at the Military Academy, so as to make the appropriation immediately available and until expended and absolutely available for the purchase of land and water rights, and that the total appropriation of $400,000 is inclusive of $100,000 appropriated in 1902.

As to amendment No. 28 the House recedes, with an amendment. The House had provided that the necessary enlargement of the cadet barracks might be proceeded with, before the whole cost is ascertained, upon detailed p'ans. The Senate amended to allow the construction of "such buildings as are immediately necessary." By the conference amendment such construction may include the necessary construction of cadet barracks and of such buildings as shall be needed to replace buildings removed by such construction of cadet barracks which are planned to occupy the site of some of the present quarters.

R. WAYNE PARKER.
F. W. MONDELL.
WM. SULZER.

Mr. PARKER. Mr. Speaker, I move the adoption of the conference report.

Mr. SLAYDEN. Mr. Speaker——

Mr. PARKER. How much time does the gentleman desire?

Mr. SLAYDEN. Oh, three or four minutes.

Mr. PARKER. Does the gentleman desire to speak now, or shall I speak first?

Mr. SLAYDEN. No; I misunderstood what the gentleman was doing.

Mr. PARKER. I will yield later to the gentleman. Mr. Speaker, I desire to inform the House in regard to the West Point appropriation bill that it simplified itself very much yesterday. The amendments that had been put on by the Senate included $2,000,000 and more for camp grounds or maneuver grounds, an entire change in the organization of the Ordnance Department, and a like entire change and reorganization of the Medical Department.

It was the opinion of the members of the committee that we should have to dispute to the end such an invasion of the House's prerogative of legislation as was involved in those amendments. Fortunately by the action of the Senate itself two of those amendments, relating to the organization of the departments, were stricken off as involving general legislation, and the third, as to camp maneuver grounds, was stricken off because it was not germane to the bill, and the bill therefore came before the conference in its proper form.

In the two most important provisions of the bill, which often in such matters come at the end, the House and the Senate conferees worked in absolute harmony in order to obtain the proper legislation. One of these was to provide for an adequate water supply for West Point. For years that has been an absolute necessity. For years little watersheds and small ponds, not affording enough water for the growth of that place, have been proposed, and we have refused to make any final appropriation.

This year a new plan proposed to give for the use of the Point nearly 30 square miles of watershed from wild land, with 1,100 acres of land right upon the Hudson, affording the opportunity to take from five to ten times as much water as is required at the Point at a level, bringing it by pipe lines by its own gravity, without pumping it, wherever it may be needed. The total cost, including the purchase of the land, which is expected to cost $98,500, will come to less than $400,000—cheaper than any other of the plans, and $100,000 of this amount has been already appropriated in 1902.

We worked in harmony. The construction work proposed by the amendment which has been adopted will not be proceeded with until detailed plans satisfy the Secretary of War or until the Secretary of War shall determine that the total cost will not exceed the appropriation. But, on the other hand, we have given, as we had to do, the power to the Secretary of War immediately to close the purchase of the lands and water rights upon which the whole scheme depends.

Now, Mr. Speaker, the other amendment was no less important. We had prescribed in 1902 a limit for the construction of buildings at West Point—$5,500,000—and we prescribed that not one dollar of this should be expended, except for such articles as water supply and heating, until the detailed plans had been approved by the Secretary of War and he was satisfied that the whole work could be done within that limit. For some reason the detailed plans have not yet been approved.

There may have been difficulty in bringing them within the limit. There may have been difficulties about the particulars of the plans, but meanwhile West Point has increased in numbers. The cadets are being crowded three in a room. The House, therefore, provided by its bill that the enlargement of the cadet barracks might go on, although the detailed plans for the great improvements were not completed.

The Senate amended by stating that such buildings as were first necessary might be proceeded with. We were unwilling to accede to that amendment. We were unwilling to leave to the architects or to the persons interested the right of going on with construction, and, perhaps, exceeding the limit; but we found that the construction of the cadet barracks made necessary under the plans the pulling down of certain quarters, and we have therefore provided that these quarters may be replaced, as well as that the barracks may be constructed.

Mr. Speaker, I have made this explanation in order to show the importance of passing this bill. The changes of appropriation are trivial. The Senate adds $2,000 to the cost of repairing, making the item $35,000 instead of $33,000.

We had to accede to a provision by which they take off from the cadets charges of about $21 a year, which are made against each of them for cleaning the barracks and their rooms, for the gaslight which is furnished, and the furniture in their rooms. I believe these charges have never been made in the Naval Academy, and it seemed a picayune charge to make against them.

Mr. HULL. Mr. Speaker, will the gentleman yield for a question just on that point?

Mr. PARKER. Yes.

Mr. HULL. Is it not true that the policing of the barracks—and that is one of these items—is what is allowed for specifically in the salary of the cadets?

Mr. PARKER. I do not so understand it.

Mr. HULL. Has it not been so ever since we have allowed them a salary?

Mr. PARKER. It has been charged to them, but there is nothing in the law which provides that it shall be charged against them.

Mr. HULL. Is not the $600 which we give them——

Mr. PARKER. Five hundred and forty dollars.

Mr. HULL. No; it is over $600.

Mr. PARKER. We gave them a ration free.

Mr. HULL. We gave them a ration at so much cash, and gave it in cash, so that it added $69 to the salary, and they may expend it for whatever they may desire. Is not that amount for clothing, dishes, cleaning of barracks, and their spending money to be paid out of that salary, and does not this amount to an increase of salary to cadets?

Mr. PARKER. I will answer the gentleman.

Mr. SLAYDEN. Mr. Speaker, I could not hear the conversation between the gentleman from New Jersey and the gentleman from Iowa, but I would like to ask the gentleman from New Jersey if the item he is discussing is not this indirect increase of pay of the cadets?

Mr. PARKER. I do not think it makes an increase of pay; it takes a charge off the pay.

Mr. SLAYDEN. Does it not increase their pay by giving them an allowance for coal and gas and service for which they now pay out of their commutation?

Mr. PARKER. It takes a charge off their salary.

Mr. SLAYDEN. Has not that been provided for in previous bills? Were not their salaries increased for that purpose in the last Congress?

Mr. PARKER. No, sir; the only increase ever made in this respect was to give them their rations free, as is done in the Naval Academy. It was insisted very strongly by Senators that it was beneath the dignity of the Government to charge these young men with the gas in their rooms, over which they have no control; with the blackening of their boots, which was regularly done by the bootblacks of the establishment; with the varnishing of their belts, or the cleaning of their bathrooms or other public rooms, over which they have no control.

The effect of this is to take off a charge—last year $21.18—which has heretofore been imposed upon the salaries of the cadets. This allowance was at first refused by the House, but it was insisted upon by the Senate; and we did not regard an item of $21.18 each as sufficient ground for breaking up an agreement on this bill.

In the second place, there was a certain lot of small increases, varying from $9 a month, or perhaps the price of a typewriting machine, or $500 for a laundry roof, or $600 for the pay of a stenographer—items which I need not explain to the House. They merely came in by way of adjustment.

There was an item as to which I was not fully in accord with my brother conferees, but I did not feel justified in obstructing on such a point an agreement upon the bill, thereby preventing the carrying out of options for the purchase of water rights—options which will expire with this session.

The item I did not wish to agree to was this: The officers of the Academy and their friends and the graduates of the institution

throughout the United States have urged that the centennial exercises of the academy two years ago—the jubilee centennial—should be marked by the publication of such a book as is always issued on such occasions by every college in the country—a book which in this case will be practically a history of West Point, containing the address of the President and other proceedings in connection with the celebration, and also memoranda with reference to graduates.

For this there was asked $5,500. The House refused to agree to this item; the Senate insisted on it, and the House conferees have yielded. On every other point the Senate has given way.

I yield five minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL. Two years ago the Congress of the United States increased the pay of cadets $69 a year. Previous to that time the pay was $540. It is now $609. The intention was to make liberal provision for all the expenses to which they were subjected in the academy. This item in the bill, put in by the Senate, is simply an increase of the pay of cadets about $21 a year additional to the $609.

I shall not antagonize the adoption of the report. The gentlemen representing the House have done well. But I do want to serve notice now on the academy that if I shall be alive and chairman of the Committee on Military Affairs next winter, I shall oppose every increase of this character, believing that the Government is dealing generously with the cadets in giving them their education and making an appropriation of $609 a year to pay their current expenses.

Mr. FOSTER of Vermont. Will the gentleman yield for a question?

Mr. HULL. Certainly.

Mr. PARKER. I yield.

Mr. FOSTER of Vermont. Is it not a fact that this money which is appropriated by Congress so generously for the salaries of these cadets is all charged up against them for room rent and for blacking their boots and for furnishing light and so on, all except $24?

Mr. HULL. That is what it is given for.

Mr. FOSTER of Vermont. It is all charged up.

Mr. HULL. Oh, no. They save enough out of it to buy uniforms at the end of their course, when they leave the institution.

Mr. FOSTER of Vermont. Is it not a fact that all except $24 a year is charged up against them?

Mr. HULL. Oh, no; that is not a fact, because they save $300 or more to pay for their uniforms. But all they use comes out of the money given by the Government.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. PARKER. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I recognize the utter impossibility of getting the attention of the House to the items in this bill. There are two or three items here which I am convinced the House would vote out and instruct the conferees to reject if they would only give their attention to it. The chairman of the committee, who is perfectly familiar with this legislation, has just directed the attention of the House, or such attention as he could get, to the fact that in the last Congress we voted an increase of $69 a year to the cadets. This conference report contains an indirect increase of about $21 or $22 a year more.

Year by year, Congress by Congress, the compensation of these young gentlemen is being increased. They are the only class of people in the United States that I know of now, except those at the Naval Academy, who are hired to receive a good education, which guarantees them an honorable and profitable profession for life; yet their friends—in my judgment, their indiscreet friends—come here year by year and constantly ask more and more for them. Every year when we make up the bill for the Military Academy there is an increased demand for all sorts of expenses.

There is another item in this bill which I believe the House would reject if it would give its attention to it. There is a proposition to print a magnificent, an elegantly bound, and outrageously expensive volume describing the ceremonies on the occasion of the centennial anniversary of the academy. It is a book which will cost about $5,500. There is no general public demand for it. The great mass of the people, the people who pay the $5.500, have never heard of the book and will never see or hear of it. They will not get a single copy bought by their nearly $6.000.

Mr. PARKER. How much apiece will the books cost—about 90 cents apiece?

Mr. SLAYDEN. If you divide the cost among the 80,000,000 people of this country it will be very slight, but the principle of it is wrong. It is extravagant, and should not be indulged in.

Mr. PARKER. The cost will be 90 cents per book.

Mr. SLAYDEN. Yes; but a 90-cent book which is not needed is extravagance. Mr. Speaker, in my judgment, the time will come when there will develop in this country a scandal of no mean proportions with reference to the printing expenses of this Government.

Not a volume is printed by this Congress, not a report comes in from any subordinate in any Territory in this country or in any colony belonging to this country, that is not filled from front to back cover with illustrations of an expensive and unnecessary sort; pictures of the governor-general, of the governor-general's secretary, of the assistant to the governor-general's secretary, of the front yard and the back yard of all sorts of premises, until, in my judgment, if you could get an investigation you would find that the public printing of the country was reeking with scandal.

Both the items that I have mentioned ought to be voted out of this bill, and if the House could give it consideration, I believe it would do so. Like the chairman of the committee, I realize the utter futility of trying to have the House reject the conference report at this time; but I do call the attention of gentlemen to the fact that there are items in the bill that ought to be rejected. [Applause on the Democratic side.]

This is a splendid illustration of the folly of forcing through in the last hours of the Congress bills which are not considered, which are often improper, and which should not pass.

We are forcing our legislation to suit certain hours of adjournment, when adjournment should be made to meet the exigencies of legislation.

Mr. PARKER. I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, as one of the conferees on the part of the House I desire to say that I concur substantially in all that the gentleman from New Jersey [Mr. PARKER] has said regarding the matters in dispute between the two Houses on the Military Academy appropriation bill. The conferees on the part of the House and the Senate have carefully considered all matters in conference, and we have agreed unanimously on this report. I hope therefore the report will be adopted by the House.

THE MILITARY ACADEMY CENTENNIAL PROCEEDINGS.

In regard to the criticisms made concerning the publication of the centennial ceremonies of the Academy, I wish to say that, in my opinion, the records should be preserved, and the only way that they can be preserved is by the publication of this volume of the proceedings. That centennial celebration was a matter of much historical value to all the people, and the proceedings should be published and distributed throughout the country in the way now provided in the bill. I believe the people are interested in the history of the West Point Military Academy, and will not find fault with Congress for appropriating this small amount of money for the publication in book form of the ceremonies attending the celebration of its centennial. This provision is recommended also by the War Department, and, in my judgment, it ought to be done. These proceedings, when published in book form, are to be distributed as follows: Two thousand copies by the Members of the House, 1,000 copies by the members of the Senate, and the rest of the volumes by the Superintendent of the Academy under the direction of the Secretary of War. Many of us, I know, are now receiving requests from our constituents for these books. We can not get them and comply with the wishes of our constituents except the books are published, and they can only be published by the Government in this way. I trust the House will sustain the report of its conferees and secure the publication of this interesting and instructive book.

GIVE THE POOR MAN'S SON AN EQUAL OPPORTUNITY.

Now, another thing, Mr. Speaker. Complaint has been made by some of the members of the small increase of allowances that the cadets at the Academy are to receive. In my opinion, we do not give the cadets at the Academy sufficient allowance. It would be well to give them more. At present these cadets do not receive enough in allowances to make both ends meet. It is a great hardship and disadvantage to the poor man's son. The expenses of the cadets at the Academy are considerable, and in many cases it is a great handicap to the poor boy. This is wrong, in my opinion, and I am willing to remedy it in so far as I can. The rich man's son can afford to buy all the necessary things that a cadet must have at the Academy. The poor man's son often can not afford to make these necessary purchases, and it is for the purpose of more equitably equalizing matters that we concluded to grant this small increase in allowance. It is is only fair and just and proper. The students at West Point should all be on an equal footing; there should be no discrimination between a poor man's son and a rich man's son—between the son of a farmer and the son of a general in the Army—they should all be treated alike, all on the same plane of absolute equality. This provision will help to do

that and I am in favor of it. That is all I care to say at this time in regard to this conference report.

THE FIFTY-EIGHTH CONGRESS.

Mr. Speaker, this session of the Fifty-eighth Congress, we are informed, will adjourn to-morrow. Its record is now made and can not be changed. On that record the Republican party will go to the country, and in the coming election the people of the land will scrutinize what has been done and what has not been done and pass judgment. We have been in session since last November, and, all things considered, very little has been accomplished for the people.

FAILED TO MEET THE EXPECTATIONS OF THE PEOPLE.

This Republican Congress has failed to meet the just expectations of the people. It has refused to respond to their earnest demands. It has sneered at their sincere appeals and scorned their patriotic petitions. In its results it has been a Congress for the few and against the many. It has been easy to pass a corporation bill, but difficult to enact a law for the benefit of the plain people. It has been a most extravagant session in the reckless appropriations of the people's money for purposes of little value and of no lasting benefit.

The appropriations thus far made by the Fifty-eighth Congress since it convened in last November aggregate $781,574,629, and before it finally adjourns on the 4th day of next March it gives every prospect of being a two-billion-dollar Congress—the most extravagant by far of any Congress in the history of the Government. Appropriations for needless purposes have run riot. Over 20,000 bills have been offered by members, of which about 1,200 have been passed, and of these less than 150 are of any public benefit. When it is said that all that this Congress has done during the past six months it has been in session is the enactment of Cuban reciprocity and the adjustment of the Panama Canal, it seems indeed trivial in comparison with what the Congress has failed to do—what it has left undone.

It has "stood pat" on high protective taxation and failed to revise the exorbitant tariff taxes; it has neglected to carry out the true reciprocity programme promised by President McKinley; it has refused to investigate the Post-Office corruption and the Indian Land Office scandals; it has refused to increase the powers of the Interstate Commerce Commission in order to prevent discriminating railroad rates; it has failed to take any action against the criminal trusts; it has declined to pass the law to elect Senators in Congress by a direct vote of the people; it has refused all legislation in the interests of the toilers of the land. It has neglected to report the "eight-hour bill," the bill to establish a Department of Labor with a Secretary having a seat in the Cabinet, the "anti-injunction bill," the letter carriers' bill, the bill against the sale of convict-made goods—all demanded by organized labor. It has spurned every effort to enact measures for true home rule and better local self-government for the Philippines, for Guam, for Hawaii, for Porto Rico, and for Alaska; it has refused to do anything to aid the American merchant marine; it has neglected to carry out Republican promises regarding statehood for the Territories; and, take it all in all, it has spent more money and given the people less to show for it than any other session of Congress in all the history of our existence, even in war times.

The expenses of the last four years of Republican Administration are over $500,000,000 more than the expenses of the last four years of Democratic Administration, and nothing to show for it. Quite an item—quite a difference! The Democrats therefore have every reason to feel confident that the people will indignantly condemn the reckless extravagance of the Republicans, and with that end in view the Democrats invite a comparison of the expenses of this Republican Congress with any prior Democratic Congress. On the record the Republicans have thus far made in the Fifty-eighth Congress the Democrats appeal to the people, confident that they will condemn Republican profligacy and sustain Democratic economy by electing in the coming campaign a Democratic President and a Democratic House of Representatives pledged to retrenchment and reform and opposed to every scheme to take from the many for the benefit of the few.

DEMOCRATIC PROSPECTS IN THE COMING CAMPAIGN.

And now, Mr. Speaker, a few words about Democratic prospects in the coming campaign. We are entering the Presidential contest of 1904, and every indication is auspicious for Democratic success. In my opinion, and I say so advisedly, the Democratic party, if it is true to itself and to its fundamental principles, is destined to win in the coming battle. The stars in their courses this year will fight for Democracy. The record is against the Republican party—the people are with Democracy—and all we have to do from now on is to act wisely, exercise conservatism, use ordinary political sagacity, adopt an up-to-date platform, nominate a loyal, well-known, consistent, and popular candidate for President, and the Democratic party will sweep the country. Every Democrat in the land has his face to the rising sun and is marching on full of hope. The Republican administration of national affairs during the past few years supplies us with all the ammunition we want, and if we will present the facts of Republican inconsistency and broken promises earnestly and fearlessly to the American electorate, I feel confident our cause will be sustained. Every sincere Democrat in the land is confident of success, and all the signs of the times point unmistakably to Democratic victory in the battle of the ballots next fall.

WHAT THE REPUBLICAN PARTY STANDS FOR.

The Republican party stands to-day for high-tariff taxation, for economic policies and for subsidies that rob the many for the benefit of the few, for financial heresies that centralize wealth and paralyze industrial freedom, for political usurpations that subvert the Constitution, enslave the masses, trample under foot the rights of man, and laugh to scorn the immortal principles of the Declaration of Independence.

THE REPUBLICAN PARTY IS DISINTEGRATING.

The Republican party is not what it used to be. It no longer has a message for humanity; it no longer stands for great principles; it no longer has a conscience; it no longer stands for the policies of its founders, and it has not a single honest issue to-day it dares present to the country. The fingers of greed and graft have erased every motto from its banners; its army of supporters is disheartened and split in factions; it is going to pieces from the bitterness engendered by the jealousies of its own leaders; it is rotting away with the cancer of corruption; it is disintegrating, and it all portends, in the near future, overwhelming Republican defeat and triumphant Democratic victory.

NEW YORK STATE WILL SURELY GO DEMOCRATIC.

Let me say to you gentlemen on the other side that New York State will surely go Democratic in the coming election. It is the pivotal State of the Union, and its place again in the Democratic column means the election of a Democratic President. There is no doubt about New York. The Empire State is safe for Democracy. The Republican party there is hopelessly divided, and sane Republicans now admit that the State is lost to their party beyond recovery. It is a political axiom that without New York State the Republicans can not win, and this means a Democratic House of Representatives and a Democratic President and the beginning of the end of Republican misrule, Republican corruption, and Republican maladministration.

WHAT WILL BE THE ISSUE?

This is not the time nor the place, Mr. Speaker, to discuss what will be the leading issue in the coming campaign. Politicians do not make issues; events and the people make them; but if you want to know about some of the questions that will be discussed from now until the polls close next fall I have only to ask you to consider what is going on and what has been going on in our national affairs for the past three years. We read daily about rascality in high places. Take off the lid and you will find that nearly every Department of the Government in Washington is honeycombed with corruption. The dirty fingers of Republican office-holders are looting the Treasury, and the soiled hands of Republican corruptionists are pillaging the very temple of humanity.

The people know something about the frauds in the Post-Office Department, frauds which constituted a stench in the nostrils of every honest American; something about the profits in the army contracts; something about the rottenness in the Interior Department, by which our public lands have been despoiled and the poor Indians systematically robbed; something about the "rake off" in the armor-plate deals of the Navy Department; something about the sleeping Department of Justice that awakens occasionally to plead the "statute of limitations" for Republican criminals who have betrayed their trust and filled their pockets with the people's money; something about oppressive tariff taxation, that robs the many for the benefit of the few, shelters monopoly, sells American products cheaper abroad than at home, and gives free rein to the criminal trusts to plunder the consumers and producers of our country. These scandals are notorious, and the half has not been told. Republican newspapers are getting tired of apologizing for Republican crookedness, and the special pleaders of the "grand old party" from one end of the land to the other weary of keeping Republican "grafters" out of jail.

Mr. Speaker, I say the people know something about official rascality and corruption and peculation in Washington, but they have only an inkling as to the real facts. They want to know more; they want to know all. It is said that the Republican party is always lenient to its criminals, that it shelters Republican offenders, covers up their rascalities, and takes long chances to prevent their successful prosecution. But the time is at hand when the people demand that justice be administered to these public thieves, regardless of their social standing or political affiliation. We are getting at the truth gradually, but we do not know how great these peculations may be or how far-reaching

corruption extends in high places and different branches of the Government. We can not find out all the facts. The Republicans are entrenched in power at the Capitol, and they refuse to grant our demands for legislative investigations.

The Democrats are thwarted at every turn. We introduce resolutions of inquiry only to have the resolutions smothered in committees by Republican majorities; we demand impartial investigations and our demands are met with sneers. The Republican party has been in power too long; there should be a change. The people want a chance to get at the books, to get at the truth, and the whole truth, and they know the only way to accomplish this is to elect in the coming campaign a Democratic President and a Democratic House of Representatives. Then these investigations will proceed with all diligence, and corruption wherever it exists laid bare. And so, sir, if I mistake not, one of the principle issues in the coming campaign will be "Turn the Republicans out and send the corruptionists to the penitentiary."

A SAD COMPARISON.

For several years past, Mr. Speaker, the Republican spellbinders have shouted "stand pat" and for the "full dinner pail." The Republican party has "stood pat," but to-day the dinner pail of the wage-earner is empty and a million honest, industrious, hard-working men are tramping the country looking for work. During the past six months there has been a shrinkage of values in the country of over $10,000,000,000—more than one-eighth of our entire wealth. The figures are appalling, but they are frightfully true and accurate. Hard times, financial panics, bankruptcies, labor lockouts, strikes, reduction in wages, and industrial disasters seem to be the order of the day, and disaster must follow disaster just so long as the "stand-pat" order is tolerated and Republican policies that rob the many for the benefit of the few sustained.

I say it is a crying evil that protected American products are sold cheaper abroad than at home, and the farmers and wage-earners of our country compelled to pay exorbitant prices for the necessaries of life in order that a few may be enriched at the expense of the many. According to a recent report of the Government, wages have been reduced in certain industries more than 20 per cent in the past eighteen months, and the cost of living all along the line has increased more than 16 per cent. Here is a reduction of at least 36 per cent in the earning capacity and purchasing power of the breadwinner; and in view of it all the "full dinner pail" becomes a hollow mockery, "stand pat" a sham, and "Republican prosperity" a delusion and a snare. The comparison is a sad commentary on existing industrial conditions, and demonstrates the falsity of Republican promises when contrasted with actual performances. "Words are good, and only so when backed up by deeds."

WHAT THE DEMOCRATIC PARTY STANDS FOR AND ITS MISSION.

My friends, it is the high mission of Democracy to equitably reform these glaring Republican inequalities and bring about a fairer distribution of the fruits of toil. Labor produces all wealth, and in return the toiler merely gets a meager existence. We legislate too much for the few, too little for the many. It is all wrong. It has got to be stopped, and it can only be stopped through the agency of the Democratic party. The grand old party of Jefferson is, and always will be, the hope of the toilers and the bulwark of the wage-earners and producers of the land. When our party comes into power it will readjust these Republican inequities in a spirit of fairness and equality, so that those best able to bear the burden of government shall at least sustain their just share, and luxuries as well as the necessaries of life shall contribute to its support.

Have no fears; the Democratic party will do this. It stands to-day where it always has stood and where it always will stand—for equal rights to all, special privileges to none; for social order and good government; for retrenchment and reform; for home rule; for equal and exact justice to all men—no class legislation, no caste, no cant, no pretense, no hypocrisy, no sumptuary and oppressive laws; for the home and the schoolhouse; for free men; for a free and untrammeled press; for freedom of speech, freedom of action, and freedom of trade; for civil and religious liberty; for the rights of man; for the sanctity of the ballot box; for peace and harmony—the strength and support of all great institutions—between labor and capital; for a fair day's pay for an honest day's work; for a loyal acquiescence in the will of the majority; for the money of the Constitution—a nonfluctuating dollar—worth at all times 100 cents; for an equitable system of taxation adequate to defray the expenses of the Government honestly and economically administered, and so distributed that the rich as well as the poor shall pay their just share of the burden; for the election of Senators in Congress by a direct vote of the people; for a strict construction of the Constitution; for necessary internal improvements; for the upbuilding of our merchant marine; for the abolition of every criminal monopoly; for friendship with all nations, entangling alliances with none; for the Monroe doctrine; for sympathy with the oppressed of every land and in every clime; for the perpetuity of our free institutions, and for the sublime principles of the Declaration of Independence here and wherever our flag, Old Glory, greets the morning sun and floats in the free air of heaven.

These principles are now a part, have always been a part, and must ever continue to be a part of the affirmative platform of the Democratic party. Men may come and men may go, but these principles are undying and will go on forever.

I have no fears for Democracy. Its future is as secure as its past is glorious, and its ultimate success is written on the pages of destiny. It will never die while men love liberty and are willing to die for freedom. It must live, because it has a mission, and its true mission is to make all the world free and mankind brothers.

Mr. Speaker, I hope this report will be agreed to by the House. [Cries of "Vote!"]

The SPEAKER. Without objection, the conference report is agreed to. The Chair hears no objection.

Mr. PARKER. I desire further to move that on the twenty-ninth amendment, which is the total at the end of the whole bill, we recede, and agree to the Senate amendments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGES ACROSS SPUYTEN DUYVIL CREEK.

The SPEAKER. The gentleman from New York [Mr. GOULDEN] asks unanimous consent to take from the Speaker's table the following bill, which the Clerk will report:

The Clerk read as follows:

Senate bill 4713, to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and the bulkhead lines as now established in the city of New York.

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

Mr. GOULDEN. I desire to offer an amendment.

The SPEAKER. The Chair suggests to the gentleman that as the bill is now before the House by unanimous consent, to postpone the consideration until a later date, and in the meantime he can mature his amendment. Without objection, it is so ordered.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. LITTLEFIELD. Mr. Speaker, when I was interrupted I was nearly through with the discussion of the tin-plate industry and its development under the provisions of the tariff bill of which Mr. McKinley was the author. I had called attention to the fact that to-day it is $3.65 a hundred pounds, the cost to the domestic consumer, compared with $5.30, a reduction of $1.65, and that the reduction abroad during the same period in the price was only 10 cents a hundred pounds. With that 10 cents reduction abroad you have a net reduction here under the operation of the tariff of $1.55. Now, I call the attention of the gentleman from New York to this proposition, and I think his candor is such that he will concede it. His suggestion is: "Is it for the best interest of all the people of this country that you should do it?"

Here is the practical application of the tariff for the purpose of developing this particular industry. The actual saving per annum to the people of this country by the operation of this proposition has been $12,694,500. The total saving estimated by the Bureau of Statistics is $75,000,000; and I submit, Mr. Speaker, with great candor, I have answered fully the suggestion of the gentleman from New York.

Mr. COCKRAN of New York. Will the gentleman allow me to ask him a question?

Mr. LITTLEFIELD. Certainly.

Mr. COCKRAN of New York. Does the gentleman contend that tin plate is cheaper in this country than abroad?

Mr. LITTLEFIELD. I do not mean that.

Mr. COCKRAN of New York. When you speak of the reduction in the cost of tin plate being used extensively in this country, you mean that the reduction has brought down the price by the imposition of the McKinley rate?

Mr. LITTLEFIELD. The reduction has brought it down $1.65.

Mr. COCKRAN of New York. And lower than it is now throughout the world.

Mr. LITTLEFIELD. The reduction throughout the world was only 10 cents from 1891 to 1903.

Mr. COCKRAN of New York. What was the price in this country per hundred?

Mr. LITTLEFIELD. Five thirty in 1891. In 1904 the price paid in this country was $3.65, and abroad $2.90.

Mr. COCKRAN of New York. That is not the question.

Mr. LITTLEFIELD. Well.

Mr. COCKRAN of New York. Pardon me, I know what my own question was. I want to know what was the relative price in this country and abroad.

Mr. LITTLEFIELD. The relative price—I have given all the figures. I have given the price paid in 1891 as $3 per hundred.

Mr. COCKRAN of New York. I am speaking of 1890.

Mr. LITTLEFIELD. I will speak of it. You have got to give both ends of the equation to get a proper result. In 1891, when imported tin sold here for $5.30, it sold abroad for $3 per hundred. It sold here, after having been imported—after having paid the Government duty—beginning at $5.30 per hundred, while to-day, 1904, the same tin plate sells abroad for $2.90. Now, there has been a reduction of 10 cents a hundred during that period throughout the world from 1891 to 1904. The reduction here under the operation of the tariff has been not 10 cents, but $1.65; so that brings the proposition down to a demonstration from the figures and facts showing that it is relatively cheaper here than abroad by the amount of $1.55 per 100 pounds; the decrease abroad under free trade having been only 10 cents, and here, under a tariff, $1.65 per 100 pounds.

Mr. COCKRAN of New York. They actually cost more in this country to-day than abroad, but relatively it is a dollar fifty-five cents cheaper.

Mr. LITTLEFIELD. Yes.

Mr. COCKRAN of New York. I make a present of the "relative," and I hope the people who pay it enjoy it.

Mr. LITTLEFIELD. The difference is precisely this: They are paying to-day a dollar fifty-five cents less than they were paying before the tariff went into operation, and upon the amount produced it amounted to $12,694,500 a year, an estimated saving up to date of $75,000,000. Before the tariff it was controlled by a a trust abroad, and the tariff was the only thing that gave us competition with and relief from the oppression of this trust. The price paid would be the same now as it was in 1891 except for the operation of the tariff and the development of the industry here——

Mr. COCKRAN of New York. Will the gentleman permit a question?

Mr. LITTLEFIELD. Do not take up my time, please. I trust the gentleman will excuse me. I do not wish to be discourteous, but I have only fifteen minutes, and I have other things to discuss. I very greatly regret I can not take the time to yield to the gentleman. I suggest this: That here is a typical industry developed by the operation of the protective tariff; here are the results, and the results show an immense advantage to the people of this Republic, and this is an illustration of the beneficial operation of the tariff. Now, that can not be assailed or destroyed, in my judgment, by a mere criticism or an assault. It can not be railed down. It stands an indisputable fact. The storms may come and winds may blow, the rains may fall and beat upon that citadel of the protective tariff policy, and it will stand because it is founded upon the actual eternal rock of experience.

I wish to go a little further, Mr. Speaker, and call attention to what I believe to be the theory upon which tariff legislation should operate. We differ constitutionally with our friends. In the platform of 1892 they said a fundamental principle of the Democratic party was that it was unconstitutional to levy tariff taxes except for the purpose of revenue only—that is, the protective tariff is unconstitutional. Now, we say tariff taxes should be levied, first, for the purpose of raising sufficient revenue to carry on all the business of this great Government and, in addition thereto, for the protection of American labor and industry. Now, what degree of protection should be accorded and upon what basis should it be imposed? I believe, Mr. Speaker, that the tariff should be sufficient in extent to enable persons engaged in production in any industry, agricultural or manufacturing, to pay the American rate of wages and receive a fair return upon the capital invested. I believe that should be the general principle.

I do not go so far as to say it can be applied with mathematical exactness. It is subject to all human conditions. It is subject to the same conditions and infirmities that apply in connection with all legislation that has relation to human conditions, but so far as it can be practicably applied, in my judgment that rule should be applied. I believe it should be universally operative everywhere. I believe it should be applied for the benefit of the sugar planters in Louisiana as well as for the lime producer in Maine. I believe it should apply protection to the fruit grower of California as well as the lumberman in the State of Maine, or the steel manufacturer in Pennsylvania, and wherever a tariff now exists or a business exists that requires the application of that proposition in order to enable the payment of a fair rate of American wage and a fair return by way of income upon the capital invested, there, I believe, it should be applied. I would not remove a tariff on a product of the West for the benefit of the East, nor would I vote to remove it on an article produced by a manufacturer in the East for the benefit of the West, where it was necessary in order to enable the results above indicated to be attained.

I would make no discrimination so far as persons are concerned. I do not understand when we are legislating, Mr. Speaker, upon fiscal policies of this Government, that we are legislating in the interest of political parties. Business knows no politics. It is neither Democratic nor Republican.

Investment anywhere and everywhere is entitled to the same equitable treatment from the Government. I said that I would impose it so as to enable a fair return upon the capital invested. What do I mean by that? I mean just exactly this, just exactly what I say—*capital invested*. I do not mean overcapitalization; I do not mean wind and water.

Let me give a concrete illustration. Take, for instance, a corporation with a capital of $100,000, but with a capitalization, we will say, of a million, for the purpose of making the illustration more obvious. I do not believe that a tariff should be imposed under such circumstances, so as to enable a corporation to declare dividends upon a million of capitalization. I believe it should be imposed so as to enable the industry to pay a fair income upon the capital actually invested—$100,000. Now, it is said, Mr. Speaker, that goods are sometimes sold abroad cheaper than they are at home. I suppose that is true. I know that, as a matter of fact, in connection with many large business industries in this country, goods are sold in this country at a distance from their place of manufacture more cheaply than in the place where they are manufactured.

I can reach out my hand here and put it upon the head of a Congressman who is engaged in the manufacture of a product, and who sells that product cheaper 150 miles from his home than he does in his home, and whose competitors 150 or 300 miles away sell in his home cheaper than they sell at the place where the goods are manufactured by them. It is simply one of the natural evolutions in the development of business. I am not able to assert that this is an unvarying and universal incident of business, but I know that it exists in many instances and is not therefore necessarily an abnormal condition. Now, so far as a sale abroad cheaper than at home is due to that same business condition and the operation of that same business factor, I would not interfere with it; but wherever a manufacturer or a producer is able to sell his product cheaper abroad than at home by reason of the operation of a tariff, because thereof, so that the relation of cause and effect can be established in connection with the situation, I believe that the tariff should be reduced so far as is necessary to prevent the production of that result. [Applause on the Democratic side.]

I speak, of course, for myself. I do not control the policy of the Republican party, but I believe that to be the policy of the Republican party upon this proposition. [Applause on the Republican side.] Now, mark this. Take the propositions as I make them. I am going to be entirely frank about it. Take the proposition as I make it: Whenever and wherever a manufacturer is able *by reason of the tariff, as a result thereof, when the relation of cause and effect can be established in connection with* the situation, to sell abroad cheaper than he sells at home, I would deprive him of so much of the protection as was necessary in order to prevent that result. [Applause.] I do not know of any Republican that takes any other ground, so far as that is concerned. [Applause.]

Mr. GAINES of Tennessee. Well, I do not see any Republicans applauding what the gentleman says.

Mr. LITTLEFIELD. Don't let that disturb the gentleman.

Mr. GAINES of Tennessee. Well, it does.

Mr. LITTLEFIELD. I am not making this speech for the purpose of obtaining applause. I am making this speech because I am desirous of discussing this question from a frank and straightforward standpoint. [Applause.]

When it comes to the question of the relation of the tariff to trusts, I desire to say that the man does not live and has not stood in shoes who can demonstrate the proposition that the protective tariff is what is called "the mother of trusts." [Applause on the Republican side.] I concede that the trust, if there be a trust, which is engaged in the manufacture of an article and the individual competitor may both receive the protection of the tariff, but it can not be demonstrated, even for a moment, that the mother or creator of any trust is the tariff; nor is it logical nor is it sensible to undertake to repeal the tariff in order to eliminate or exterminate a trust.

Let me analyze that proposition for a moment. The tariff, it is charged, is the creator of the trust. If that be true, then the tariff is the creator and the trust the creature, and vice versa. No reason is perceived why the same rule would not apply to this as to every other condition. Then wherever you found the creator you would expect to find the creature, and where the creature was there would be found the creator. But we have *many* articles,

products as to which there is no tariff, the Standard Oil Company's being the most conspicuous example. It is a trust par excellence, and there has never been any tariff on its product. Then we have trusts innumerable in free-trade countries, England being honeycombed with them. Here, then, you have creatures without creators or shelters.

On the other hand, there are many articles on the protected list as to which there are no trusts. There you have the creator and shelter without any creature, and an unutilized shelter. Suppose the Democracy applied its theory of repealing the tariff to destroy a trust, what then? This would be the practical operation of this alleged panacea. Let us take the tin industry. It is claimed that a trust controls quite a portion of the product. But besides the trust there are a goodly number of independent operators. In the contest between the independent operator and the trust, by reason of the fact that the quantity produced by the trust enables it to take advantage of all the elements involved in doing a large business and get favors by way of transportation facilities and charges on account of the quantity handled, the small, independent operator is unable to compete and is continually going to the wall.

This killing out of competition is an essential incident of the trust movement. If the small, independent operator could hold his own and compete, no harm could come to the public, as his ability and competition would regulate the price and prevent oppression. But the fact is the other way. The tariff on tin, it is clear, gives the same protection to the independent operator and the trust; no more and no less. If the foreign manufacturer is let in by a repeal of the tariff, the independent operator, being the weakest, goes to the wall first, leaving the field to the trust, and you have accomplished precisely the end desired by the trust. That is just what the trust wants, and just what we don't want. But you say, "We will drive the trust itself out of business."

Then you would have no tin manufactured in this country, and you would be turned over absolutely to the mercy of a foreign trust, over which we have absolutely no control, precisely where we were before the imposition of the tariff; and in depriving the trust of the "shelter" of the tariff, at the same time depriving the American people of the "shelter" of the tariff, and conferring upon them the high and endearing privilege of paying some twelve millions more for their tin than they are now paying.

This is Democratic statesmanship of the most recent vintage. That this is not overdrawn will appear from a bill now pending before the Ways and Means Committee, introduced by Mr. RICHARDSON of Tennessee, which provides, as to "articles and commodities manufactured and controlled or produced in the United States by a trust or trusts, the importation of such articles and commodities from foreign countries shall be free of duty until, in the opinion of the President and Secretary of the Treasury, such manufacture, control, or production shall have ceased." (H. R. 3570.)

It will be observed that this bill proceeds on the assumption that the repeal of the duty will destroy the manufacture or the industry, and, if necessary, it proposes, for illustration, inasmuch as some tin is "manufactured and controlled or produced" by a trust, to take the duty off until the "manufacture, control, or production shall have ceased" and the tin industry is no more. And the Democracy thinks that is legislation adequately adapted to a desirable result.

I have said that I believe a tariff should be imposed upon these general grounds, on a universal principle, giving industries everywhere the same benefit and same advantage to accomplish this result. I do not believe that principle should be violated by legislation on the floor of this House, nor do I believe that it should be violated or infringed by any form of reciprocity, alleged to be genuine or otherwise. I believe reciprocity should be applied, if applied, precisely in the manner indicated by the sainted McKinley when he made his speech in Buffalo, N. Y., his last message to the American people, so as not to interfere with any domestic production or any domestic manufacture. Any assertion that he made any other declaration is a deliberate perversion of his language. [Applause on the Republican side.] Now, I go further. I am unalterably opposed to the unconstitutional assumption upon the part of some gentlemen in the Republic that there is another body—and I refer to the executive as represented by the Senate—which has the power to change a single tariff schedule by the ratification of a reciprocity treaty. [Applause.]

I believe that the control of the purse is the key to the liberties of the American people, and I believe that the Constitution of the United States vested the exclusive control of power to originate revenue legislation in this body, which is the direct representative of the people. [Prolonged applause.] I believe that when the Senate acts in ratifying a treaty it acts in its executive, and not in its legislative, capacity. I believe that the revision of a tariff schedule, or the change of a fiscal law, or its modification in any way is an act of legislation, and not an act of executive administration.

I do not believe that negotiating an international contract which, except by an extraordinary use of language, is no part of the law of nations at all—simply a contract—can constitutionally change the fiscal policy of this country.

The SPEAKER. The time of the gentleman from Maine [Mr. LITTLEFIELD] has expired.

Mr. LITTLEFIELD. I should like about five minutes longer.

Mr. COCKRAN of New York. I hope the gentleman will be allowed that additional time.

The SPEAKER. Is there objection to extending the time of the gentleman from Maine five minutes? The Chair hears none.

Mr. LITTLEFIELD. Mr. Speaker, these are my views as to the principles on which tariff legislation should be based. I believe that the House should preserve in this respect its rights, its privileges, its prerogatives. The right to amend fiscal schedules and enact tariff legislation is vested here by the Constitution—not necessarily because they are our privileges or our rights or our prerogatives, but because they are essential to the preservation of the rights and liberties of the people whom we represent.

I want to say a few words about the results of these two policies as affecting this great country in which we live. My friend from New York [Mr. COCKRAN] said in his speech that deficit practically resulted in a panic. I would quote his language if I had it at hand. I want to call the attention of the gentleman to the fact that he was in error when he suggested that there was a deficiency in the revenues of the Republic as compared with its expenditures prior to the advent of the Democratic Administration in 1892. I have here a list showing the deficiency of revenue during a term of years as compared with the expenditures; and there never was any deficiency of revenue as compared with expenditures from 1865 down to 1893, the date of the advent of the Democratic Administration. [Applause on the Republican side.] I agree with the gentleman that deficit indicates panic, and therefore that surplus contraindicates panic—indicates prosperity. I would be glad if I had the time to read the vigorous and expressive language that the gentleman uses in describing the results of such panics.

A surplus indicates prosperity; and, if we take into account the unusual expenditures involved in the war with Spain, from 1902 until now we have had, and still have, a surplus indicating this prosperity.

From July 1, 1893, to July 1, 1897, the interest-bearing debt increased $262,323,030. From July 1, 1897, to July 1, 1902, five years, the interest-bearing debt increased only $83,704,210, although during that period the Spanish and Philippine wars were fought, at an expense variously estimated at from $500,000,000 to $700,000,000.

The Cleveland Administration paid on the public debt only $13,400,047, while the McKinley Administration paid $113,000,000. The McKinley Administration refunded $445,940,750 at a rate of 2 per cent—a rate unprecedented in financial history—and reduced the annual interest charges $4,518,255.

For the four years ending June 30, 1897, our exports exceeded our imports only $701,859,558. During the five McKinley years thereafter the excess was $2,832,840,666, or an average of $565,568,133 per year, the yearly average being only $135,291,425 less than the aggregate of four years under Cleveland. The excess under the Dingley tariff is more than the excess from 1790 to date of its enactment, five Dingley years being more than one hundred and eight preceding years.

In thirty-five months under the Wilson bill, aided by a Democratic Administration, the revenues showed a deficit as compared with the expenditures of $105,180,701, as against an excess during a like period under the Dingley bill of $57,000,000. In 1897 the net expense exceeded the net revenue $18,033,454. In 1901 the revenue exceeded the expenses $76,717,984. Do the gentlemen on the other side think that this aching void can be filled with rhetoric however brilliant or declamation however energetic and forceful? Democratic deficit, distress, and disaster. Republican surplus, prosperity, and happiness. This may have been the result of ignorance and incapacity, great errors of policy, but there is a disgraceful chapter in the history of the last Democratic Administration that can not be thus extenuated.

If I had time, I should like to call attention in detail to the negotiation of that loan of $62,315,400, in 1895, for thirty years, at 4 per cent, by the Democratic Administration, with John G. Carlisle as Secretary of the Treasury, when he negotiated to August Belmont and J. Pierpont Morgan, money changers in Wall street, a loan of $62,313,400, when at the very time of its delivery it appears that they were receiving in premiums $10,000,000 profit out of the Treasury of the United States. [Applause on the Republican side.]

These are the figures, showing the dates of delivery of the loan that was sold at 1.04½, showing the premium in excess of the sum

paid by the syndicate, which the Government would have received if it had negotiated its own bonds.

Date of delivery.	Amount.	Valuation.	Premium in excess of 1.04½.
March 18, 1895	$28,807,900	1.19⅝	$4,429,214.00
April, 1895	2,349,800	1.20⅛	381,712.50
July 29, 1895	31,157,700	1.23½	5,919,963.00
Total	62,315,400		10,730,889.50

And yet my Democratic friends say here that they want to remove the Republican party from power in order that they may deprive us of the ability to steal the revenues accumulated by the United States Government, when at that time and under those circumstances they delivered themselves body and soul, brains, blood, and bones into the hands of this money-changing syndicate and bartered the character of the United States Government—for what? In order that the syndicate might be able to maintain the credit and the character of a great people which a Democratic Administration stood self-confessed as unable to do. Search the record of the Republican party in vain for the instance where it was obliged to supplicate private bankers to maintain the credit of the greatest people on earth. Now, for a moment, let me contrast that with the McKinley Administration, which negotiated a loan of $200,000,000 in 1898 on the threshold of what was expected to be a vast war with Spain.

It did not turn out to be, because it was simply a contest between the civilization of the sixteenth and the nineteenth centuries; and it turned out that wherever the civilization of the sixteenth century met the civilization of the nineteenth, either upon land or upon sea, the older vanished before the new as the hoar frost vanishes before the rising morning sun. This $200,000,000 was negotiated at the rate of 3 per cent for twenty years, negotiated to the American people, seven times oversubscribed, and in amounts largely from $20 to $500. This is the record of these two great parties. Blazon it. Proclaim it from the house tops. Tell it in the market places. "He that hath ears to hear let him hear."

The SPEAKER. The time of the gentleman has expired.

Mr. LITTLEFIELD. Only a few minutes longer. Let the people say which of these parties they will select as their public servants.

Mr. COCKRAN of New York. Mr. Speaker, this is really most interesting. I hope the House will give the gentleman the time he desires.

Mr. LITTLEFIELD. Only two minutes.

The SPEAKER. The gentleman asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. LITTLEFIELD. This is the record of these two great parties. These are their financial achievements, and the results that we see around us every day are the results that have been distributed and disseminated through the Republic by the operation of these policies; and when the arbitrament comes in November, what think you will be the judgment of the intelligent, law-abiding, God-fearing American people? Will they say that the party whose power and control of the Republic has always been signalized by a long trail of destruction, devastation, distress, depression, and ruin shall be vested again with its control? I think not.

On the contrary, I think they will say that the control of affairs shall remain in the hands of the great party, human though it may be, liable to mistakes though it may be, that has controlled and directed the mightiest Republic the world ever saw in its triumphal march along the great highway of nations, its progress signalized by a magnificent prosperity, unparalleled and unapproached since the morning stars sang together, a progress attended by a grandeur, a glory, and a splendor that is at once the unbounded admiration and the hopeless emulation of every other land that the sun shines on. [Prolonged applause on the Republican side.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 4573. An act for the relief of Eugene Patenaude; and

H. R. 9891. An act giving consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

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

S. 4504. An act for the relief of Smith R. Mershon; and

S. 3440. An act to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER. The Chair announces the declination of Representatives HEMENWAY, LOVERING, and HEDGE from the committee to attend the opening of the Louisiana Purchase Exposition, and asks the consent of the House to excuse them. Is there objection?

There was no objection.

The SPEAKER announced as members of the committee to attend the opening of the Louisiana Purchase Exposition Messrs. BOUTELL, GREENE, and HUGHES of West Virginia.

PERSONAL REQUEST.

Mr. COCHRAN of Missouri requested leave to withdraw his previous request for leave of absence. There was no objection.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Speaker, I yield to my colleague, the gentleman from Mississippi [Mr. WILLIAMS], such time as he may desire, of that which is left to this side of the House. [Prolonged applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is perhaps a good thing, at any rate a certain thing, that God has made certain unalterable rules that neither oratory nor debate can change. The gentleman from Maine said in the course of his remarks, quoting from William Shakespeare, that "changes come over the spirit of our dreams." I concede there are limitations within which changes can come over the spirit of our dreams. For each individual man, who has heredity behind him and environment around him, the limitations are exceedingly great, and for each political party in any country, if it has a history behind it, its limitations are exceedingly great. There is one principle running through all the woof of time that has been expressed in a plain way—"the leopard can not change its spots."

The party, Mr. Speaker, that is founded upon the idea that men, because they happen to live in different climates and different countries, are necessarily in an inimical attitude toward one another, so much so that they must not engage in amicable trade relations with each other except when it is absolutely necessary; that party, under whatever name it has been known in this country, whether as Federalists, when trying to pass the alien and sedition laws, or as Know-nothings, when saying: "No Irish need apply," can not have "a change come over the spirit of its dreams," except the change be subject to the inbred historical limitations which make that party narrow and Chauvinistic—narrow in its welcome of foreigners to our shores, narrow in world sympathies, narrow in its trade relations with the peoples of the earth. I think that was not the exact language used here yesterday, but the spirit was the same; "No Irish need apply." Whenever my friends on the Republican side take that as a rule of action it is idle to quarrel with them because they take the second step and want to deprive a man of entry into the grand arena of benefit which America furnishes to the world in its very civilization, and which it denied to no man in its national need, when, during the war, the Government wanted all such volunteers as it could get. [Applause.] It asked no questions about nativity then.

Mr. Speaker, I say "the leopard can not change his spots." Here is a significant illustration, strange in appearance though it is, in that it comes from the State where the battle of Gettysburg was fought. The gentleman from Pennsylvania [Mr. DALZELL], who made his eloquent peroration-tirade yesterday against foreign-born "hoodlums," does not live far from the field of Gettysburg. During the last war the Sixty-ninth Pennsylvania, "Owens's Own," as it was called, an Irish regiment, was in evidence in defending Pennsylvania soil. As a man of Welsh descent, I am glad to see the old Welsh name "Owen" at the head of the regiment; but the thing I wish you to note now is this; that the great majority of its members were Irishmen, "nearly all of them," as I read in Alexander H. Stephens's Pictorial Historic Views, in which he quoted the statement from a Federal officer, Mr. Wilson, "The only thing throughout that day that met the élan of the southern chivalry headed by Pickett in the grandest charge that the world ever saw was this brigade of Pennsylvania Irishmen." [Loud applause on the Democratic side.]

It strikes me, my friends, that it comes with a strange ring for a man even on that side, but a Pennsylvanian, the hearthstones of whose people those Irishmen protected, to have uttered these words which were uttered by the gentleman from Pennsylvania [Mr. DALZELL] on yesterday: "If there be any hoodlums among us," he said, "they are not the product of American soil, Ameri-

can institutions, or American civilization." The old Know-nothing cry, "America for Americans;" "American soil for American institutions." Mark that fact, gentlemen!

Now, Mr. Speaker, I think I have a right to speak upon this subject without being charged with a personal motive. There is not a drop of blood in my veins that does not come from the English-speaking race—Scotch, English, and Welsh. I am, of course, proud of my race—proud as the Germans are and ought to be of their race, as the French are and ought to be, as the Poles are and ought to be, of their race.

Mr. Speaker, my people came to America in the latter part of the seventeenth century, and if I chose I could "out-America" the gentleman from Pennsylvania, I suppose. I represent a constituency 96 per cent of whom are native born. His is exactly the language of old Know-nothingism. His language was followed by "loud and long-continued applause on the Republican side." That is the significant fact. Federalism had to drop "alien and sedition laws," because "alien and sedition laws" scotched, though they did not kill, Federalism. Know-nothingism was stamped into the pretense of nonexistence by the horse sense of Americans. The historic child of both—the Republican party—through its chosen mouthpiece, amidst its uproarious applause, reechoes their voices.

Can the leopard change its spots? Is there not a historic, scientific, fixed limit to this appearance of "a change that comes over the spirit of our dreams?" I ask this question—I, one of whose ancestors wore the King's uniform against French and Indians, and afterwards the Continental uniform, in which he battled against King and old British theories of colonialism for American liberty!

Mr. ADAMS of Pennsylvania. Will the gentleman permit me?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. ADAMS. Only for a correction. That was the Sixty-ninth New York Regiment.

Mr. WILLIAMS of Mississippi. It is quoted in this book "the Sixty-ninth Pennsylvania," "Owens's Own," and I expect this Federal officer knew what he was talking about. [Applause on the Democratic side.]

Now, then, Mr. Speaker, I am no provincialist. I am intensely a southerner and intensely American, but, perhaps beyond that to a large extent, a cosmopolitan. I know the German people. I have studied with them, danced with them, slept in their houses, eaten their salt, and I love them. What does the distinguished gentleman from the St. Louis district of the great State of Missouri [Mr. BARTHOLDT] think about being one of the only possible "hoodlums" that can be furnished in America? [Applause on the Democratic side.] What does the distinguished gentleman of Swedish ancestry who represents so nobly and so bravely and intelligently upon this side of the House a district in the State of Minnesota, Governor LIND, think of this Federalistic outcropping? [Applause on the Democratic s de.] What does the gentleman from a Boston district who bears the Irish name of one of the ablest and bravest and noblest soldiers of the Revolution, General Sullivan, think of it? [Applause on the Democratic side.]

Mr. BARTHOLDT. Will my friend allow an interruption?

Mr. WILLIAMS of Mississippi. After one moment; but before you do it, I want to pay a tribute to the dear old fatherland, especially the Rhineland. [Applause.] I want to say that one of the best couplets ever written, or quatrain, whichever it was, was the advice the father gave to his son:

Mein Sohn! mein Sohn!
Ich rathe Dir gut;
Zieh' nicht, zieh' nicht am Rhein,
Da geht Dir alles zo lieblich ein,
Du kehrst nicht mehr nach Heim.

I have lived among them and I have learned to love them, especially the Germans of southern Germany, and I have learned to love deutsche Frauen, deutsche Weine, und die alte deutsche Gemüthlichkeit. Moreover, alte deutsche Tapferkeit, known of all men since the day of Tacitus; that have we all learned to respect.

Mr. BARTHOLDT. Will my friend allow me?

Mr. WILLIAMS of Mississippi. Yes.

Mr. BARTHOLDT. I will say in reference to the citation that I could not have cited any better than he has, but as to the language implied by the gentleman from Pennsylvania I take it that that shoe does not fit me. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. I take it that way, too, but the gentleman from Pennsylvania did not, and neither did your colleagues when they applauded it. Now, let us go on. The gentleman from Pennsylvania said:

These hoodlums are to be found, rather, among those adventurers who, having left their own country for their country's good, find in the field of American politics prolific source of notoriety and pelf; men who, without conscience and without conviction, find an opportunity, now with one party, now with another, to find a market for their peculiar wares, among which is not respectability.

He took his seat amid another storm of Republican applause.

Oh, this supposition that because a man left Europe and came to America he must have "left his country for his country's good!" Why, even the 10,000,000, more or less, of descendants of the *Mayflower* Pilgrims know better than that, at least so far as the *Mayflower* fellows were concerned. They say that they left their old country for the world's betterment. They say that they left for the purpose of developing a new world, and giving it to religious and civil liberty and to the white man's civilization. They will tell you that they left because conditions "at home" were worse for a man who would be free and follow his conscience than they could be even in the wilderness among the wild red men, and because they could better there take their chances under God's providence to make a new civilization out of the wilderness in the presence of savages, carrying the white man's flag farther and farther in this world and higher and higher, than to have remained back "at home" amidst oppression and all that was narrow, chauvinistic, and wrong. [Applause on the Democratic side.]

I love *la belle France*, too. I have danced with her girls at the vintage; noted that, noble or peasant, the Frenchman is always polite and apt to be a gentleman. I love Moliere and Scarron. What does the gentleman from Louisiana [Mr. BROUSSARD] think? What does the gentleman from South Carolina [Mr. LEGARE], the descendant of Huguenots, think of this Know-nothing renaissance?

Mr. Speaker, I have a good deal of impatience with "hyphenation of Americanism." I do not know what a German-American is; I do not know what an Irish-American is; I do not know what an Italian-American is, or what a French-American is; but I do know what a German is, what a Frenchman is, what an Italian is, and what an American is; and I know, moreover, what an American of foreign birth, no longer hyphenated, except in popular and newspaper phrase-mongering, but devoted to the free institutions of a free country that he came to voluntarily and not by the accident of birth, is, and I know what they have done in the history of this country. Why, gentlemen, I mentioned General Sullivan. I might mention Commodore Barry. I might go back to Revolutionary days and recall him who distinguished himself in the person of Kosciusko. I might go back to Pulaski's time, and in him learn again to love the men of "the knights' republic"—Poland. I might go back to Lafayette's day if I chose, but I need not go that far.

Who are your bravest and boldest? Who made the 20-mile ride down the valley, wonderful, but the subject of overboasting? Phil Sheridan, an Irishman. Who is the one man in the Federal infantry whom Stonewall Jackson ever met with nearly equal forces that he did not rout in almost no time? Shields, at Front Royal, with his Irishmen. My friends, where are the great orators of the world—Bourke and Curran? Where are the great writers of the world—Goethe, and Schiller, and Racine, and Fontaine, and Lessing, and Dante, and Petrarch, and all the balance of them? Its great painters, sculptors, architects? Are they all Americans? There is nothing, in my opinion, more foolish than the notion that because you happen to be a German, or because you happen to be a Frenchman, or because you happen to be an Englishman, or because you happen to be an American, thereby you are better than anybody else. You are better if you are better, and you are not if you are not. [Applause.] Within certain great, broad, indelible race lines human nature is the same from the mouth of the Hudson to the mouth of the Danube. Wherever peoples are within the lines of mutual voluntary assimilation, God has marked them practically the same. He has laid down metes and bounds and race characters within certain broad lines—white, black, red, yellow—but no more than that. Now, my friends, the party of restriction, the party of chauvinism, the party which regards foreigners as necessarily more or less enemies, is the party that you represent.

Your thoughts along economical lines run with your thoughts along international lines. You are the men who, if you carried out your theories to their end, to their logical result, would not sell or buy, or at any rate would not buy one single article upon the surface of the earth from anybody but yourselves; let nobody serve you with his wares unless he were an American, no matter how much he robbed you in the name of "Americanism." The gentleman from Pennsylvania [Mr. DALZELL] the other day expressed that idea right frankly, when he was discussing the question of reciprocal trade relations, and said that it was "not republican" to have reciprocity unless it was in "noncompeting" articles. What does that mean, in this great "imperial Republic" of ours—with an imperial domain and republican institutions—except it means nothing; that you can not buy anything from abroad? The gentleman from Maine [Mr. LITTLEFIELD] this evening has propounded questions and demanded answers "yes or no." Where is the thing that you can mention now—and I will not confine you to a yes or no answer—which is not raised or made or mined somewhere under the flag of the United States? Where

is the noncompeting article? Give it to me. Somebody do it. Will the gentleman from Maine [Mr. LITTLEFIELD] do it? [Applause on the Democratic side.] Why, Mr. Speaker, I doubt if even my genial and nonpartisan personal friend the gentleman from Ohio [Mr. GROSVENOR], who can do mighty near anything, could do it. [Laughter and applause on the Democratic side.]

But, Mr. Speaker, so much for that. I want to go on to the speech just made by the gentleman from Maine [Mr. LITTLEFIELD]. I wish that I had his voice, his strength, his presence, his intellect, because if I had any one of the four—and if I had all four it would be easier yet—I could shatter the baseless fabric that he has erected here to such an extent that he, with his intellectual integrity, would be laughably ashamed of it. [Applause and laughter on the Democratic side.] The gentleman started out by saying that he agreed with the gentleman from New York [Mr. COCKRAN] that this bill is "the corollary of protection," and I happen to agree with both of them. What is protection but a subsidy? Indirect, yes, but still a subsidy. What is Republican historical association with this country's legislation except the history of subsidies, indirect or direct?

Here but the other day you appointed a commission which will result in recommending a bill to do—what? To pay money out of the common Treasury to subsidize the shipowners of the country. Let me dwell upon that just a moment to show how unfair you are. Suppose I were to introduce a bill here to-morrow morning, and in that bill were to provide that the United States Government should take out of the Treasury such money as was necessary for the purpose—naming the millions, or "so much thereof as was necessary"—and with that money should add 25 per cent to the wages of every sewing woman and every man in a sweat shop receiving less than 75 cents a day, or a dollar a day? Where is the man on that side, where is the man on this side, who would not rise in his place and say to me that I was an "anarchist," a "state socialist;" that I had gone back to what sapped and ruined Rome—"bread and circuses?" Is there one of you? Is there a man in this great national House of Representatives who, if I introduced that bill to-morrow, would vote for it? Let me hear his voice. Is there one—yes or no, as the gentleman from Maine says—who would vote for it? [Applause on the Democratic side.] And yet, Mr. Speaker, labor is the basic rock of production and prosperity in civilization and of your much boasted prosperity. Yet you would not dare subsidize labor directly out of the Treasury.

You would call me an old Roman agrarian when I would demand it of you, and you would be right! Yet you will come before the American people any time and you will say: "Let us subsidize the shipbuilders; let us subsidize the silk manufacturers; let us subsidize the pineapple raisers"—for I believe somebody told me the other day that you were absolutely "creating" a pineapple industry now! You would subsidize anything rich or influential to become richer, but not the people. You act in the name of "raising wages of labor," and yet you would denounce as a socialist, as a radical, as an anarchist, as an agrarian, any man who would introduce on this floor a bill directly to raise the wages of labor by money paid out of the United States Treasury. If you are sincere, why not give the pretended largess to labor directly? Why filter it through the hands of somebody to whose hands it may "accidentally or otherwise somehow" stick?

My friend from South Carolina [Mr. JOHNSON] suggests that there is perhaps this difference that may account for the fact—that under the bill, whose pretense is the raising of wages, the fellow employing the labor will get the money and the laborer will not. Sometimes he may, if the margin is big enough and the strike is strong enough and the trust is weak enough and the combine of labor is thus able to overcome the combine of the capitalists. But as a rule the laborer will not get the benefit. You say your legislation makes the employer able to pay, but God has not made him willing; and you can not do it by legislation. [Laughter and applause on the Democratic side.] In the other case of direct largess he would get it—no doubt about that—but even then I have sometimes doubted whether it would do him any good.

I was discussing the ship-subsidy bill with a gentleman not long ago, and I said: "If we really want to build up the interests, improve the status of the American seamen engaged in American shipping, why not just say that the American seaman shall receive out of the Treasury 25 per cent addition to his present wages?" The man to whom I was talking, who was a seaman, replied: "Oh, Mr. WILLIAMS, that would not do any good. The shipowners would immediately reduce by just that much the wages they are now paying."

So the workingman is ground between the upper and the nether millstone. Is it one of God's inscrutable and inexorable laws, which I can not understand? I have never understood why Christ said: "The poor ye have with you always." It has seemed to me now and then, in my weak way questioning the mysteries of God, that somehow it might have been possible not to have the poor with us always. But so far the world has had them, and to the end of time, perhaps, it will. And in this country—not speaking harshly to any one of you—in this country they seem, under the guidance of the Republican party, to exist for only one purpose; that is, to be exploited by name in the interest of the pocketbooks of the men who grind them. [Applause on the Democratic side.]

My friend "lambasted" free trade, and then he charged that the Democratic party was going into a campaign of "free trade;" and then he paid me the honor of reading a part of a magazine article that I have written. Mr. Speaker, I have many vices, but the ungentlemanly vice of taking myself too seriously, my worst enemies will say I am absolutely free from. [Laughter.] Perhaps I shall be excused, however, since gentlemen have paid so much attention to that magazine article, for saying that I will insert in the RECORD just what I did say about the tariff—not here a sentence and there a sentence. Upon that subject I used certain words, and I will stand by them. The gentleman asked me what would be in the next Democratic platform on the tariff question. Not because I wrote this article, not because it was published in this magazine, but because it is Democratic, because it is eternal truth, something mighty, to prevail because it is the truth, the Democratic platform will, I hope, be interestingly approximate to the kernel of this. I wrote for the February number of Everybody's Magazine:

> The two great parties are fundamentally divided, as Jefferson and Hamilton were. Issues change with changing conditions from year to year. But issues are, after all, but the application of fundamental principles to conditions. As to the tariff, the Democratic party stands for the principle that protection is a system of taxation.

You used to deny [addressing the Republican side of the House] that the tariff was a tax. In this day (another "yes or no" question) where is the man on that side of the House who will rise in his place and say the tariff is not a tax? [Applause.] I am waiting. [Laughter on the Democratic side.] Not one.

Mr. BOUTELL. I will answer the gentleman's question.

Mr. WILLIAMS of Mississippi. I shall be glad to hear the gentleman.

Mr. BOUTELL. I will answer that question in the language of the Father of the Constitution, the brighest luminary in the first session of the First Congress, James Madison, who, in the first debate on the first tariff, on April 9, 1789, used these words:

> There is another consideration: The States that are most advanced in population and ripe for manufactures ought to have their particular interests attended to in some degree. While these States retained the power of making regulations of trade, they had the power to protect and cherish such institutions; by adopting the present Constitution they have thrown the exercise of this power into other hands. They must have done this with an expectation that those interests would not be neglected here.

[Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. That is sound doctrine. It comes from a Democrat. There is not a word of "protection" by tariff taxation in all that. The world knows that Madison was not a protectionist. I say, too, "cherish manufactures." I, too, say "protect" them, but by giving equal opportunities and equal burdens. There is not a word in it that answers the question I asked the gentlemen on the other side. Now, I ask the gentleman, again because I have the highest regard for his intellectual integrity, does he say that the tariff is not a tax?

Mr. BOUTELL. It is both a tax and a regulation of commerce, and always has been. [Jeering laughter on the Democratic side.]

Mr. WILLIAMS of Mississippi. The gentleman has answered, and he has answered with his accustomed intellectual integrity and with truth.

It is both a tax and a regulation of commerce, as the gentleman from Maine has substantially said, primarily and necessarily a tax, incidentally a regulation of foreign commerce. The difference between me and you is that you look upon the regulation side of the tax as a necessary blessing, and I look upon all taxes as necessary evils. [Applause on the Democratic side.] We have got to put up with taxes, just as we have got to put up with poverty and with sin and with schism in the church and with all sorts of things.

A few years ago there was another statement made by Republicans——

Mr. BOUTELL. Will the gentleman yield for a moment?

Mr. WILLIAMS of Mississippi. I will in a moment, when I finish my own thought. A few years ago there was another statement made by Republicans. There are still some Republicans living who will repeat that statement, but not many. They said that the tariff was not a tax—that was about their statement—that it was "not a tax, but although it was a tax, the foreigner paid the tax." [Laughter on the Democratic side.] Now, there are a few of you who will still state that the foreigner pays the tax.

Mr. BOUTELL. Just one other question, in further answer to the question which the gentleman from Mississippi asks. I should like to ask the gentleman from Mississippi if he recalls the preamble of the first tariff law which was under discussion when

Madison used the words I quoted a moment ago. If not, I should like just a minute.

Mr. WILLIAMS of Mississippi. Oh, I recall it perfectly.

Mr. BOUTELL. "Whereas it is necessary for the support of Government, for the discharge of the debts of the United States"——

Mr. WILLIAMS of Mississippi. Yes; I recall it.

Mr. BOUTELL. "And the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported"—— [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. I recall it very well.

Mr. BOUTELL. Signed by George Washington. [Applause on the Republican side.] And on the 4th of July—Independence Day—1789, and it marked the emancipation of our country from commercial thralldom to Europe.

Mr. WILLIAMS of Mississippi. Why, there is not a Republican in this entire country who is not like the gentleman from Illinois. There is not one of them who has not learned that by heart—one of the few lapses of a man great in our early history, but essentially a Federalist and a distruster of the masses. [Derisive laughter on the Republican side.] That was said or written and enacted at a time when Federalism was in power and rampant. But does that statement make it true? My friend may say that the preamble of an act of Congress says all of that. But suppose it does say it, and suppose that that tariff was passed for that purpose. Does that answer the question that I asked him, whether the tariff is or is not a tax? And if I had the genial brutality of my friend from Maine [Mr. LITTLEFIELD] I would insist that the gentleman from Illinois should answer my question now and here, "yes or no." [Laughter on the Democratic side.] The gentleman may say, There are some things that can not be answered yes or no. That is what I am trying to prove.

Let me go on. I have read so much from myself, let me read some more:

As to the tariff, the Democratic party stands by the principle that protectionism is a system of taxation whereby many are robbed, in order that a few may be hothoused by legislation into artificial prosperity.

[Applause on the Democratic side.]

The method whereby "protection" does this is by deflecting capital and labor from naturally profitable pursuits into pursuits made by legislation profitable, pursuits which, without legislation, would have been less profitable, or perhaps not profitable at all.

The ultimate goal of Democratic striving is "tariff for revenue only," but in the striving toward this goal, common sense, good judgment, and conservatism will prevail, and time will enter as a factor. Perhaps it might be said that an ideal "Democratic tariff for revenue only" would consist in levying import duties upon all, or nearly all, imports, dividing them, however, into three classes: First, necessaries of life and necessaries of industries; secondly, comforts; and, third, luxuries.

THE REFORMER MUST GO SLOW.

The general principle that protectionism is wrong—morally wrong—a prostitution of government to private ends—should never be forgotten; the goal ought not to be lost sight of. At the same time, friends of tariff reform would not strike down in a revolutionary way—"overnight," as the Germans say—all the scaffolding which the false system has erected. Even in Great Britain, where free trade was and is possible, free trade was not reached in that way. Duties were reduced amidst the dismal predictions of the advocates of protectionism that "destruction and ruin," "starvation and poverty" would follow. Destruction, ruin, starvation, and poverty did not follow after duty was removed. Object lesson after object lesson was thus furnished to the people of the falsity of the claims of the advocates of the old system.

In this country, owing to the decision of the Supreme Court in the income-tax case, founded on the provision in the Constitution of the United States about direct taxes, the goal can not be, as it was in Great Britain, free trade. "A tariff for revenue to carry on a government economically and effectively administered" becomes the American tariff reformer's goal. It must be kept in mind until it is reached, but it must be reached by the exercise of wisdom and good sense. The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end which he had in contemplation, by furnishing object lessons which would not help but would hurt him, and in consequence of which he and those of his opinion might be hurled out of place and deprived of the power of doing anything.

There is also a tariff revision by piecemeal, which is a handmaiden of the other system. It is very important in its place, although it ought never to be permitted to handicap the larger movement by general legislation. This is tariff revision by reciprocal trade agreements with other nations. I have always thought that there ought to be about every tariff law some degree of elasticity—a maximum and a minimum—a margin within which, by international trading and bartering, the friends of untrammeled or comparatively untrammeled commerce could be rewarded for the admission of our farm and mining products free or nearly free—encouraged to continue in their course—and others encouraged to imitate it; and whereby, also, incident to the rewarding of these, peoples pursuing an inimical course toward our commerce could be punished. They could not complain, because they would not be punished directly; indeed, punishment would not be the end in view. They would be punished by their own act, and their punishment could be remitted by their own act.

Much can be done along this piecemeal line of tariff revision under a Democratic or approximately Democratic law. Some things along this line can be done even under the Dingley law, with nothing but the small 20 per cent margin of elasticity given in that act. Chamberlainism in England and in her colonies can be killed a-borning by a wisely executed policy of that sort, and with an advantage incalculable to American producers, whether on the farm, in the mine, or in the factory, while at the same time benefiting American consumers of British products.

I continued in another part of the article as follows:

The Democratic tariff idea, like anything else Democratic, is founded as nearly as possible upon the principle of "equality of opportunities and equality of burdens."

The gentleman from Maine [Mr. LITTLEFIELD] proved this evening, in connection with the tin-plate industry, his approval of the clause "whereby a few may be hothoused into artificial prosperity." He made the chief text of his eloquent address this evening the power of taxation to "create industries" and to hothouse men into prosperity. Why, whoever denied it? The gentleman has given me some figures here. He says that in 1891 tin was $5.30, and that it went down in 1900 to $3.65 at home—mark me, now. Then he says that in the first year, in 1891, it was $3 abroad, and that it went down in 1903 to $2.90. Then he said because it started in America at $5.30 and went down to $3.65, and because it started abroad at $3 and never got down below $2.90, that the smallness of the decline abroad proved that we were benefited here by having to buy the tin all the time and now at an increased price.

Why, here I find in the RECORD a speech made by the gentleman from Virginia [Mr. JONES] within twelve months after the formation of this colossal tin trust "created" by the tariff, wherein he shows that the price of tin plate advanced within that time 100 per cent. He says:

I hold in my hand a press dispatch from Indianapolis, Ind., dated two days ago, in which it is stated that tin plate was $2.25 per box two years ago, and that it is now selling at $5.30 per box, and that there will be another advance within the next two weeks.

Mr. LITTLEFIELD. What are the figures you give?

Mr. WILLIAMS of Mississippi. That speech was made December 15, 1899. The trust was formed just one year previous.

Mr. LITTLEFIELD. If the gentleman——

Mr. WILLIAMS of Mississippi. Wait until I get through with tin plate, and then interrupt me all at once. Let me finish this, and I will submit to the interruption later.

Now, what do we find, Mr. Speaker? We find that whereas it has gone down a larger *percentage* at home, it was because it had a higher place to go down from [laughter and applause on the Democratic side], and that it is still cheaper abroad. In other words, we find what everybody not a fool knew already. You can create a tin industry, and if you do it as, according to my genial friend, you have done, you must pay for the fun of doing it. You have paid for it for years, and what have you now? The price abroad, according to these figures is $2.90. That is what they were at that year you quoted. Now, what are the prices at home and abroad to-day? Still cheaper abroad. Now, then, tell me this. Let me call your attention to another curious thing. Will the gentleman from Maine give me his attention?

Mr. LITTLEFIELD. Certainly.

Mr. WILLIAMS of Mississippi. Because—I do not care if the whole of the balance of the House is away—because it is to you and to your magnificent personality that I am now paying obeisance. [Laughter.] Now, a few minutes ago I read a splendid critical dissertation, upon a tariff speech made by the gentleman from Maine in Lewiston, by a man of magnificent sense, Mr. Newman, who writes under the nom de plume of Savoyard. I say he is a man of magnificent sense, because he has praised both the gentleman from Maine and myself. I charge the accusation is true as to the gentleman from Maine and that he deserves it, and as to myself, I admit that I deserve it. [Laughter.]

Mr. LITTLEFIELD. Suppose we bow together. [Renewed laughter.] Let me say this before the gentleman reads from the article written by the distinguished gentleman he refers to.

Mr. WILLIAMS of Mississippi. I am not going to read it right now. I will insert it.

Perhaps it would be too harsh a term to employ if one were to characterize that speech the Hon. CHARLES E. LITTLEFIELD made in Maine last week as political heresy, but it was about as flat party recalcitrancy as ever was ordered. Mr. LITTLEFIELD is the most brilliant man on the Republican side, the best orator, and in the class of GROSVENOR and HEPBURN in debate, and he is what all too few of our public men are, an independent thinker without a mortgage on his mind or conscience. He will never be guilty of the blind and servile bigotry of voting for something he is opposed to solely because it is a party measure. That is the canker that disrupts governments and rots peoples. That is what is the matter with Spain and Turkey.

Mr. LITTLEFIELD has been talking about the tariff and has set up the late lamented "Iowa idea" down East in the State of Maine. What does the Ways and Means Committee think of this sort of stuff, coming from a Republican leader: "The primal purpose of the tariff must be the raising of sufficient revenue to carry on the Government?" There is a great big chunk of Democracy in that declaration. It is pretty tolerably constitutional, too. It is true that the Constitution of the United States and the Democratic party would substitute the word "sole" for "primal" in Mr. LITTLEFIELD'S proposition; but on the whole what Mr. LITTLEFIELD says is as excellent as it is astonishing, coming from the source it does. It is an ominous declaration and liable to cause more or less apprehension in that joss house, the room of the Ways and Means Committee.

The speech of the successor of Nelson Dingley fairly bristles with what the stand-patters might well call "party perfidy and party dishonor." Just listen:

"If upon investigation it turns out to be true that any product upon which there is a tariff is sold abroad cheaper than it is sold at home as the result of the operation of the tariff, the tariff upon such articles should be reduced to the extent that is necessary to prevent that result, assuming, of course, that the relation of cause and effect can be established in connection with the situation."

During the late extra session, that was a campaign against the beet-sugar squad, General GROSVENOR made a speech in which he declared that the

office of the tariff was to enable manufacturers to sell cheaper abroad than at home. He gloried in it and cited it as one of the astonishing triumphs of the protective principle. The argument was that the domestic consumer was bled so freely, the profits made off him were so enormous and so extortionate, that the protected manufacturer could afford to almost give away to foreigners the surplus of his shops; and so an office of the American tariff is to supply cheap goods to foreigner and dear goods to Americans. Thus, the Canada Pacific Railroad can buy steel rails in Pittsburg at $7 a ton less than the Northern Pacific road can buy them, and this is one of the "triumphs" of "the great American system of protection." What an admirable thing it would be if it could be reversed—high prices for foreigners and low prices for home folks. When a foreigner buys our unprotected cotton and our grain that no tariff can protect, he can get them no cheaper than an American. Why this discrimination in favor of steel rails?

Mr. LITTLEFIELD condemned a tariff that enables a trust, overcapitalized, to accumulate profits that would make it possible for it to pay dividends on its surplus and fungous capital stock. What does this man mean? What is he driving at? Is he determined to be a Democrat? What right has a Republican statesman—and from Maine, at that—to indulge such a Democratic preachment as that the taxpayers of this country have some rights? He even goes on to deliver this Democratic epigram that might have come from William L. Wilson or Frank Hurd: "The tariff was made for man, and not man for the tariff." The Ways and Means Committee, doubtless, saw insult in that as well as injury.

As if to sound the whole gamut of recalcitrancy, Mr. LITTLEFIELD said this:

"It is not within the province of the Executive to legislate, and it is the duty of the legislative branch to resist at all times in all places, and in whatever form it may appear, any attempt upon the part of the executive branch to encroach upon its domain."

That pronouncement has been a principle of Anglo-Saxon liberty ever since there was such a thing. It is the foundation stone of representative government. And pity it is that we have fallen on times where the people must seriously ask themselves if they have not chosen a Congress false enough and weak enough to tamely submit to an invasion of their domain and a usurpation of their right.

Mr. LITTLEFIELD. If the gentleman, before he wrote that article, had taken the pains to state the original principle which I stated here and which I stated in my speech before my convention, he would probably have put a different phase upon the suggestions that he makes in his article.

Mr. WILLIAMS of Mississippi. I have no doubt about that.

Mr. LITTLEFIELD. And he would have appreciated this fact, that I was not drawing these opinions in for repairs—not within a day or within a week. [Laughter.]

Mr. WILLIAMS of Mississippi. I wondered if I could be pardoned——

Mr. LITTLEFIELD. If the gentleman has left the branch of tin industry——

Mr. WILLIAMS of Mississippi. I wondered if I could be pardoned after inserting what Savoyard said in the RECORD, a single observation—following up the line of the argument the gentleman so tactfully used—the categorical "yes or no" line of argument. Let us see if I can get the gentleman from Pennsylvania [Mr. DALZELL], if he is in his seat, or the gentleman from Ohio [Mr. GROSVENOR], or the gentleman from New York [Mr. PAYNE] to answer. They are all old leaders of the Republican party. They heard the gentleman's speech. They heard some mighty good Democratic stuff in it to-day. You heard it repeated and explained in what I referred to from Savoyard. Now I will ask them, "yes or no"—do they indorse it or not? [Great laughter and applause.] "Yes or no"—do you indorse it or not?

Mr. LITTLEFIELD. What speech is that?

Mr. WILLIAMS of Mississippi. Your speech that you made to-day—the same speech you made in Lewiston. They will probably answer, "Partially." Now, that reminds me of my grandfather's reply about the battle of Buena Vista. The old man, who stood at the apex of the V on that day, was modestly denying that the First Mississippi Rifles had done all the fighting. He said that South Carolina was there, and the old North State was there, and Kentucky was there; and then somebody asked, "How about a certain other State?" The old gentleman, who never said any harsh thing to or about anybody, replied: "Well," he said, "they were partially there and partially not there." [Laughter.] My honest reply to the "yes *or* no" demand of the gentleman from Maine would be "Yes *and* no"—would be "Partially I do, and partially I do not," indorse what the gentleman from New York said in a magnificent oratorical outburst of two hours. [Laughter.] Now I will yield to the gentleman.

Mr. LITTLEFIELD. Does the gentleman wish me to answer his speech, or will he have me make a suggestion with reference to the tin schedule simply? I understood the gentleman to say that he would excuse me for something. I did not catch what he was reading from when he called my attention.

Mr. WILLIAMS of Mississippi. I was reading your figures, but I have lost them now.

Mr. LITTLEFIELD. It was in my figures, then; it was only my fault or my misfortune.

Mr. WILLIAMS of Mississippi. Yes; I "partially" agree to that. [Laughter.]

Mr. LITTLEFIELD. We both agree upon that.

Mr. WILLIAMS of Mississippi. "Partially."

Mr. LITTLEFIELD. Limited to the fact, and left free for the purposes of this occasion.

Mr. WILLIAMS of Mississippi. Yes.

Mr. LITTLEFIELD. We do not propose to hire a hall——

Mr. WILLIAMS of Mississippi. No; I will be glad enough to get away out of this Hall, which the country hires, when Congress adjourns at this session. I am tired. I do not know how you are.

Mr. LITTLEFIELD. I understood the gentleman to suggest, in criticising the figures I gave him, that the $5.30 per hundred pounds in 1891 was the price after the imposition of the tariff. I beg leave to suggest to the gentleman that that was the price of the imported article prior to the enactment of the tariff. The foreign price was $3 a hundred pounds at that time, and the same article imported, that cost $3 abroad, cost, when paid for by the domestic consumer here, $5.30 without any tariff.

Mr. WILLIAMS of Mississippi. It was $5.30 on December 15, 1899, which was long after the tariff was put on the article, and it has gone down to $3.65.

Mr. LITTLEFIELD. It has gone to $3.65 here under the tariff, but it has only gone down abroad 10 cents.

Mr. WILLIAMS of Mississippi. But it has gone down to $2.90.

Mr. LITTLEFIELD. Two dollars and ninety cents is 10 cents less than $3.

Mr. WILLIAMS of Mississippi. That reminds me, my dear friend, of a telegram I saw while over in Indiana once. It was about an election and scared me nearly to death. It said that the Republican vote of Yazoo County, Miss., had increased 300 per cent. And when I came to inquire I found out that they had cast two votes at the election prior to that, and it was something over 300 per cent because in that election they had cast nine. [Laughter and applause on the Democratic side.] Now, is not that an instance of Republican argument?

The gentleman wants to prove to the American people that they have "created an industry" to their own profit, to their own benefit, and to prove, therefore, if that were true, that they had created an industry which sold its products cheaper to them than they were sold to other people, and to prove it cites figures to show that we are still paying more than foreigners. He wants to prove that we have "created an industry," and while undertaking to do it he proved what I stated he would have to prove, to wit, that when we create one we must pay for creating it. The sole question is whether the whistle is worth the money. Now, then, I said you paid for it. I say you are still paying for it, and I say furthermore that the trust that is now controlling that industry is selling the very identical article cheaper for foreign exportation than for home consumption.

Mr. LITTLEFIELD. Well, I do not know the basis of facts the gentleman may have for his assertions, or if he has any basis of facts——

Mr. WILLIAMS of Mississippi. I have.

Mr. LITTLEFIELD. But does the gentleman deny that if we did not have any tariff to-day upon tin and no manufacturing production here that the price now of the imported article would be practicallly what the price was before the enactment of the tariff law, or substantially $5.20?

Mr. WILLIAMS of Mississippi. Why, of course I deny it.

Mr. LITTLEFIELD. How can you prove it? How can you demonstrate it? What conditions indicate it? Suggest some elements involved in the proposition that aid in the demonstration of the proposition.

Mr. WILLIAMS of Mississippi. The gentleman does not want to be unfair and take up all of my time.

Mr. LITTLEFIELD. Excuse me: if disagreeable, I apologize.

Mr. WILLIAMS of Mississippi. You are not disagreeable; you could not be if you tried to be. If I were a woman I would say that of my friend. When you wear that half Mephistophelian and half Maine woodsman look I would myself, if I were a woman, almost fall in love with you. You could not be disagreeable, if you tried. [Laughter.] But the gentleman can deal with arguments in a way which is disagreeable to a logical intellect, and he sometimes does it. [Applause on the Democratic side.] I mean by that a plain, blunt, logical intellect, not an overacute, overeducated intellect. Now, I say this: I say that these figures prove that your protection has not brought tin down at home to the point at which it has stopped abroad; and I say this, that while it is perfectly possible to "create" any industry, even a banana industry, as I illustrated upon this floor one day, and while it is perfectly possible to create a tin industry, yet, when you do create it, you have got to pay for creating it.

I say, moreover, this; when you create it in superabundance, like you sometimes do, and thereby enable it, by taxing all the people, to grow strong enough to form a great trust, that you have created an iron man with infinite power, without soul in it, who is so much "created," and so magnificently "prosperous" at the expense of the balance of us, that he can do three things: He can control the prices of the product which he makes in the home market at a higher level than they are held by him or others in the foreign market, although he himself may ship abroad at a profit; and that when he becomes that sort of a great, iron, indus-

trial giant, he can do another thing—he can control the price of the labor that works for him. Labor could strike against me; it could strike against the gentleman from New York [Mr. SCUDDER] and the gentleman from Mississippi [Mr. SPIGHT] and the gentleman from Illinois [Mr. HITT] when we were separate; and if Mr. HITT refused to pay the wages, his laborers could find employment from me while they were keeping him profitlessly idle; but if we all went in together and acquired this immense amount of combined power over the laborers whom we employed, and if we owned and controlled all or nearly all of the particular branch of industry in which we were engaged, then all the inundations of labor's power and force, as great as they are, would fall helplessly and as baffled against the wall of our industrial combination, as the waters of the Mediterranean do at the foot of Gibraltar. [Applause on the Democratic side.] The third thing that this law-created iron giant may do, and sometimes does do under the shelter of a tariff, is to dictate the price at which the producer of the raw material shall sell to him. The gentleman says that he defies anybody to prove that "protection is the mother of trusts." Protection is the mother of some sorts of trusts.

I will tell you the sort of trusts that protection is not the mother of. It is not the mother of that sort of trust which owes its success to increased efficiency of public service and to cheapened products and increased volume of product at the same cost, with wages remaining substantially the same or sometimes going higher up. But the tariff is the mother of that sort of trust which, under the shelter of special legislation, hothousing it into artificial prosperity, or at any rate greater prosperity than it would have had without the tariff, can exploit and extort from home consumers, beat strikes, and control the market for raw material. The proof of it lies in your own observation. Take Great Britain for example, where steel is free. Now, there might be a trust there, there might be a great industrial combination in steel in Great Britain, but if there were it would have to undersell the little manufacturers to succeed, and it would have to pay equal wages with them, and even if it got the whole tight little island under its power the same products could come from Germany, from France, and everywhere else across the narrow channel and could flood the British market, which the trust was trying to monopolize. That trust then would to-day or to-morrow have to go to the wall. But if you were to have around that island a high protective tariff of 50 per cent on steel that trust could afford not to undersell the other people, but to come within 45 per cent of selling at an equal price, and still hold the home market.

Mr. LITTLEFIELD. Mr. Speaker, right on that point, would the gentleman feel offended if I asked him a question in relation to a bill pending before his committee, introduced by Mr. RICHARDSON?

Mr. WILLIAMS of Mississippi. Has it anything to do with this particular matter that I am talking of?

Mr. LITTLEFIELD. Yes, certainly. It provides that where there is any product or manufacture the price of which is controlled by a trust the tariff shall be removed therefrom until the manufacture or production shall have ceased; that is to say, practically destroying the industry. Does the gentleman approve of that?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not think it is fair for the gentleman to ask me to indulge in criticism of my colleague's bill.

Mr. LITTLEFIELD. Very well; I shall not do it.

Mr. WILLIAMS of Mississippi. But I will state this, independently of that bill, that I would not put on the free list every article that is produced by a trust. I would reduce the duties, however, on every article that is controlled by a trust to the point where there could be a possibility—aye, probability—of foreign competition entering the moment the trust or combine began to extort unreasonable prices and unfair profits from the American consumers. [Prolonged applause on the Democratic side.] And that is not all. I have higher authority than mine for that. I have the authority, substantially, of the gentleman from Maine [Mr. LITTLEFIELD] himself, which I shall assert. He says:

> I do not believe in imposing a tariff that would enable the accumulation of profits to pay dividends upon overcapitalization, what is peculiarly known as "wind and water" capitalization, and in many instances very attenuated wind and water——

Mr. LITTLEFIELD. That is almost word for word what I stated on the floor this afternoon.

Mr. WILLIAMS of Mississippi. Yes; that is what made me admire the gentleman's industry so well, because it shows that in order to be able not to alter these illogical things the gentleman has been uttering on this floor he has had to prepare his utterances by the lamp of midnight and mighty near memorize them; else a mind naturally as good as his could not possibly work twice without previous preparation upon the same illogical lines to the same inconsequential conclusions as in these two speeches. [Laughter and applause on the Democratic side.]

Mr. LITTLEFIELD. I suppose the gentleman will concede that notwithstanding the infirmity of the mind it got there.

Mr. WILLIAMS of Mississippi. Well, "partially there and partially not there." [Laughter.]

Mr. Speaker, the gentleman then does what I have heard many another man do. He begins to lambaste us—I use a not very classic English word, but a right strong one—he begins to lambaste us on the subject of "theory." Now, it always makes me tired to hear a man talk about a "theory" as if it were a bugaboo of some sort. Did you ever know of any sound system that did not have underlying it a sound theory?

Now, the theory underlying the Democratic contention about the tariff is the old slogan of equal opportunities and equal burdens amongst the sons and daughters of men. [Loud applause on the Democratic side.] The underlying theory is that taxation is a burden, and that, being a burden, and a burden upon the consumer, taxation ought to be adjusted so as to be as nearly as possible an equal burden upon all consumers, for the man who carries the lesser burden is thereby favored by politics and law at the expense of the man who carries the greater burden. That is the theory. But gentlemen are always talking about "theories" as if they were something to be run away from. Theories are the bases of right legislative practice and conclusion.

By the way, it seems to me a funny thing that the gentleman should come here with an elaborated question concerning the eloquent speech of the gentleman from New York [Mr. COCKRAN] and say, "Do you indorse it? Answer yes or no." I might ask him a similar question: "Do you indorse Buckle's History of Civilization? Answer yes or no." [Laughter.]

Mr. LITTLEFIELD. I have no objection to it. [Laughter.] But I hope the gentleman will not go too far and ask me any question about something I am not familiar with.

Mr. WILLIAMS of Mississippi. Well, I will comply with your wish. Do you indorse the policies of the Administration of President McKinley?—"yes or no."

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. Yet you stood with me here, day in and day out, and we fought against that policy, we fought for the great old historic American principle of equal laws for every man under the American flag. We equally stood in antagonism against its un-American and old British system of colonialism and colonial exploitation. [Applause on the Democratic side.] That is not all. The gentleman stood here with me—and he was right when he did it—and he and I fought to the bitter end, though we went down in defeat, the McKinley policy of violating a vital article of the Constitution of the United States by putting an import duty upon articles coming from Porto Rico to a port anywhere else within the common domain of the United States. [Applause on the Democratic side.]

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. Now, I will tell the gentleman why I did not answer his question yes or no.

Mr. LITTLEFIELD. Let me ask you this——

Mr. WILLIAMS of Mississippi. I beg pardon now. The gentleman has answered yes——

Mr. LITTLEFIELD. Yes, and I stand by it.

Mr. WILLIAMS of Mississippi. And I have proven beyond all doubt that his answer "yes" was not the correct answer.

Mr. LITTLEFIELD. No; you have not.

Mr. WILLIAMS of Mississippi. Now, if the gentleman had answered as I would have answered and as I will now answer his question about the speech of the gentleman from New York, then his answer would have been "yes *and* no," and would have abounded in his usual intellectual integrity; but he did not answer it that way. I did not answer the question about the speech of the gentleman from New York "yes or no," because if I had said "yes" it would not have been telling the whole truth. If I had said "no," it would not have been telling the whole truth. A witness when interrogated must tell the whole truth. Now, my answer to his question, which is not "yes or no," is this: In the main I indorse it, but in some particulars I differ with it. Let me ask the gentleman another question, yes or no. Does he indorse the last Republican platform—yes or no?

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. You do! The colonialistic part of it?

Mr. LITTLEFIELD. Now, will the gentleman let me say in reference to the Administration of William McKinley?

Mr. WILLIAMS of Mississippi. Really, the gentleman must pardon me——

Mr. LITTLEFIELD. Oh, yes.

Mr. WILLIAMS of Mississippi. I will agree, after I am through——

Mr. LITTLEFIELD. Oh, no; when you are through I shall not have any time.

Mr. WILLIAMS of Mississippi. I will agree, after I am through,

to answer any questions, if they will extend the limit of time. How much more time have I, Mr. Speaker?

Mr. LITTLEFIELD. You have asked me a question.

Mr. WILLIAMS of Mississippi. I know I have.

Mr. LITTLEFIELD. And I have answered you.

Mr. WILLIAMS of Mississippi. My dear friend, I asked you a question in the same way you asked yours. I asked it unfairly. I asked for an answer, "yes or no." You pinned me down and you pinned the gentleman from Missouri [Mr. DE ARMOND] down to yes or no. That is all. I have asked you a question, and you make your answer "yes." And, by the way, it is a curious thing the gentleman asks us over here whether we indorsed every jot and line and tittle of the speech of the gentleman from New York—for that is what it meant—or whether we disapproved of every jot and line and tittle of a two-hour-and-a-quarter speech.

Mr. LITTLEFIELD. No.

Mr. WILLIAMS of Mississippi. And the gentleman from Missouri [Mr. DE ARMOND], with that magnificently incisive intellect of his, arose in his place and took less than three minutes by the watch to ask the gentleman these two questions; whether he would reduce the duty upon articles where the American manufacturers were charging more for them at home than abroad—yes or no to that—and whether he would reduce the tariff tax upon articles where the tariff tax was sheltering trusts? The gentleman from Maine might have answered yes or no, because each question contained a distinct proposition; and yet the gentleman, who was bulldozing us because we could not answer a question about a magnificent oratorical flight in one word "yes," or one word "no"—could not answer either question categorically, surrendered quietly to that little three-minute interruption, containing two distinct questions capable of distinct categorical replies, and never has answered, either yes or no, yet. [Applause on the Democratic side.]

Mr. LITTLEFIELD. Now, just one moment. I will appeal to the RECORD——

Mr. WILLIAMS of Mississippi. Oh, no——

Mr. LITTLEFIELD. Will the gentleman yield for a moment?

Mr. WILLIAMS of Mississippi. Yes; I want to be courteous. I will yield.

Mr. LITTLEFIELD. Then I want to say to the gentleman that I do not think he does it disingenuously—I will not suggest that, because the gentleman is a gentleman—but I did not ask him whether he indorsed every jot and tittle of the speech of the gentleman from New York [Mr. COCKRAN].

Mr. WILLIAMS of Mississippi. Oh, no; not in express words——

Mr. LITTLEFIELD. Wait a minute, please; you can not dodge that way.

Mr. WILLIAMS of Mississippi. Now, I will not yield any further.

Mr. LITTLEFIELD. Oh, yes; you yield when it is agreeable, and when it is disagreeable you decline to yield.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, rather than stand charged with that sort of a thing, with being unlike my friend from Maine—disagreeable—I will yield, provided the gentleman's question does not take over two and a half minutes.

Mr. LITTLEFIELD. I do not think the gentleman desires to misrepresent the question that I put; but I called attention to the fact that the gentleman from New York [Mr. COCKRAN] declared the issue upon the tariff and made his proposition upon the tariff, involving free trade, and I confined my question to that proposition. I did not ask if the gentleman approved of a two hours' speech or not. The RECORD will disclose that. The gentleman does not want to misrepresent me. I asked him, and I asked the gentleman from Missouri that question, whether upon that sentiment or upon that branch of the speech of the gentleman from New York the gentleman did or did not approve of that. Now the gentleman says my question covered a two hours' speech, and as to every jot and tittle of it.

Now, I want to say a word in relation to the Administration of McKinley. [Cries of "Oh, no," upon the Democratic side.]

Mr. WILLIAMS of Mississippi. I hope the gentleman will let me have some time.

Mr. LITTLEFIELD. I do not want to be offensive to my friend.

Mr. WILLIAMS of Mississippi. No; it is not offensive.

Mr. BAKER. You meant to be offensive to me—— [Laughter and great confusion.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask for order. Under the circumstances I will have to decline to yield further now.

The SPEAKER. The House will be in order.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I will not rest quiet, under the insinuation even, that I have been unfair or disingenuous in dealing with the question asked by the gentleman from Maine, or in any other respect. The record is there, and I presume it will not be changed. The gentleman turned to me by name and said, "Do you approve or disapprove of the utterances of the gentleman from New York?"

Then, turning to the gentleman from Missouri [Mr. CLARK] by name, and then turning to this entire side, he repeated the same question. He did not say in so many words "every jot and tittle," and he perhaps meant the tariff part of Mr. COCKRAN's talk, but if anybody should have answered "yes" he might single out one utterance and say that the respondent could not approve of that. Or if anybody had answered "no," he could have singled out something else that he knew that we did approve of and say the answer ought to be "yes" as to that. I want to ask another question of him. I want to ask another question of all of you on that side. I want to ask whether you approve or disapprove of this Spinosa philosophy? I want an answer—"yes" or "no." Another question, every one of you, "yes" or "no," whether you approve or disapprove of the first speech made by Daniel Webster on the tariff question?

Mr. LITTLEFIELD. That is, his first speech or his last speech?

Mr. WILLIAMS of Mississippi. The first one.

Mr. LITTLEFIELD. That is a free-trade speech.

Mr. WILLIAMS of Mississippi. Yes.

Mr. LITTLEFIELD. I do not think I would exactly approve of that.

Mr. WILLIAMS of Mississippi. I reckon not, nor could you disapprove wholly. The true answer would again be "partially," in view of the fact that if one answered generally "no" there are some things in that speech that every patriot and true American must believe in, and if one answered "yes" he would have approved of some things I know that no Republican approves of.

The gentleman from Maine has unintentionally misrepresented the speech of the gentleman from New York [Mr. COCKRAN], which the gentleman from Maine has called to our attention and made his text.

The gentleman has represented the gentleman from New York as saying that the issue in this year of our Lord's grace would be "free trade;" he has represented his speech as "involving free trade." He knows that that never occurred. It involved no such thing. He knows that "free trade"—no custom-houses—is an impossibility here. He knows that when the gentleman from New York quoted the utterance of the gentleman from Missouri about pulling down customs-houses "from turret to foundation stone," he went back to the time of Tantallon Castle, and was referring to a system of robbery and looting from the castle. But the gentleman knew, and he knows now, that the gentleman from New York likewise added that we had to have taxes, and that we had to gather taxes mainly from the tariff. The gentleman knows as well as I do that nobody is trying to make a campaign on "free trade;" that nobody could if anybody wanted to.

The gentleman knows that there can not possibly be any "free trade" in the United States. He knows that this Government must be supported partially—aye, mainly—by tariff taxation. That is no reason why the necessary tariff taxation should be esteemed by us, or anybody who is sane, as a blessing. Now, then, the gentleman asked me another question. I can give a yes or no answer to that. I was prepared to give it then and there. When you asked me if I indorse everything contained in the speech of the gentleman from New York, on the tariff question, if you will, as you stated his speech, I would be very far from approving it, for reasons of necessity as stated; but when you ask the same question of the same speech as the gentleman from New York stated it, all his statements taken together, I answer, in the main, I do indorse it, although there are some single utterances in it taken alone that I do not indorse.

No two Democrats ever had minds made and confined in the same mold, but it is altogether different with the Republicans, even with "blanket Indian" Republicans, the men who get off the Republican reservation and after a time get back again, as the gentleman from Maine has done. [Laughter.] You exhibit a wonderful receptivity for molding the very first time your party puts the clamps upon you. The gentleman read from the New York platform about corporations created by the States remaining subject to State authority. Did he read it for what it really means? Here is the language, and, if this language be correct, I will give my opinion:

> Corporations chartered by the State must be subject to just regulations by the State in the interest of the people.

Why, how can you state that that platform takes a corporation engaged in interstate-commerce business out from under the control of the Federal Government? It does nothing of the sort. It only states that they should be subject to just control by the State. Why, that is the most harmless utterance ever made, I find, when I read it. [Laughter on the Republican side.] With my understanding of the plank in the platform as contained, as I understand it, in this quotation just read here, I do approve it. If it had been, however, what the gentleman from Maine, stated it to be, or what

I understood him to state it to be—a denial of the right of the Federal Government to deal with corporations engaged in interstate commerce—then my answer would be "No." I do not approve of the Federal Government having its strong arm taken away from regulating corporations, whether created by States or not, when those corporations engage in interstate commerce.

A good Democrat pins his faith to what Thomas Jefferson said when he spoke of the rights delegated to the Federal Union as the sheet anchor of our national safety and independence, and of the rights which were reserved to the States "or the people thereof" as essential safeguards of our liberties. One is as sacred as the other. I would exercise every legitimate power that the Federal Government has to stop extortions, to stop abuse, to stop public swindles and public cheatings on the part of water-capitalized combinations of corporations. And that is not denied in this platform I have just read at all. Now, I want this to go in the RECORD exactly right. It reads:

Corporations chartered by a State must be subject—

To what?

to just regulations by the State in the interests of the people.

There is nothing here about dispensing with "just regulations" by the Federal Government.

I want to ask the gentleman a question. Is the gentleman willing to say that "a corporation chartered by a State ought not to be subject to just regulations by the State?"

Mr. LITTLEFIELD. I will answer, "Not at all." Does the gentleman say that he understood me so stating?

Mr. WILLIAMS of Mississippi. What were you quarreling with, then?

Mr. LITTLEFIELD. What are you quarreling with?

Mr. WILLIAMS of Mississippi. Nothing but your statement. You seemed disturbed. You were the man who started the controversy when you made that quarrel with the plank of the New York platform. I judged by your tone of voice and the facial workings of your mind, your gesticulations, and what you said, that that was what you were doing at that time. [Applause on the Democratic side.] Now, Mr. Speaker, the gentleman says——

Mr. LITTLEFIELD. That simply illustrates——

Mr. WILLIAMS of Mississippi. Now, the gentleman says he does not want to argue "theories," but he wants to argue "results," and then goes on the dearly beloved "beef is 6 cents a pound in Missouri" argument. Results! But results of what? There is the point of difference we come to. Is there a man anywhere here who believes that beef on the foot is worth 6 cents in Missouri because of the protective tariff? Nobody short of the idiot who asked the question of CHAMP CLARK when he was making his speech in Missouri ever thought of that, though he being one of CHAMP'S constituents it is hardly possible he could have been a real idiot. The "result" of what? Our prosperity, now or ever the result of pampering taxation! Why, the answer I give is this: In this great magnificent country, with the daring spirits of the world who have come to our shores, thank God, as "adventurers" [applause on the Democratic side], from the time my Welsh ancestors landed here long before the Revolution to the time that the last Irishman landed in New York six months before he was made a policeman [laughter], from that time down to this we have culled the world's bravest spirits that have given our country bravery, and freedom, and enterprise. The people are the State. Courage and adventure always win. They win in a race, they win in the individual.

I would rather have a man of magnificent courage and small intelligence to do work for me than to have a man with magnificent intelligence and very little courage. When these brave spirits came into the country from all the world they made the country brave, they made the people industrially brave and adventuresome, taking chances that led on to great fortunes, never neglecting the tide when it was at its "flood" of opportunity. Then, in addition to that, we had this magnificent area of unbroken free trade from Canada to the Gulf and from ocean to ocean. Not a man is reckless enough to raise his voice, even upon that side of this Chamber, in order to say that he would like to have New England protected from the pauper industry of Pennsylvania, or Pennsylvania protected from the pauper industry of Florida and the balance of the country. We Democrats—and you Republicans, too, except when you are talking politics—say that we have grown prosperous and great because we have been free, because we have been industrious, because we have had unhampered free trade over vast continental space. We say that we have been prosperous in spite of your efforts to stop it, but you say that we have grown great because of the manacles that you have placed upon us in our great race toward the goal of prosperity. [Applause on the Democratic side.]

Why, the gentleman reminds me of an argument that I once heard was made, but which it was not my good fortune to hear, by a boy in a debating society undertaking to prove that dams cause currents in rivers. He said to somebody, "If you do not believe it, come and go out with me to the river down here and I will show you that dam put up there by that mill and you can see that the current is just running like all the world." He did not know that the duty of a dam was to obstruct the current, and if it did not succeed in doing that it simply failed in that much of its purpose, and that, instead of creating a current, the current was there before the dam ever came, and all the dam could do was simply to some extent check or change the current. [Applause on the Democratic side.] What is your tariff? What would a tariff between Maine and New Hampshire be?

Why, if there was a tariff along the line between those two States the gentleman would tell me that it was that much incumbrance, a hampering and an obstacle to trade, and if anybody said to him that it made trade grow between New Hampshire and Maine to line the common boundary with custom-houses, collecting tolls on commerce, he would turn to that man and tell him that he was a fit subject for a lunatic asylum. Yet the same gentleman will come here and tell us that we have an "immense foreign trade" because we have had tariff laws trying to restrict it, trying to stop it! What sort of conflict is that with your principal theory of protection? The chief theory of your party is that you grow prosperous by keeping the products of the world away from your people! Then if you fail in keeping out a single product, in that far you fail of your restrictive purpose. Why, if you say you have any foreign commerce at all it must be a concession of the fact that you have gotten it in spite of the chief principle of your Republican theory.

Mr. Speaker, the gentleman from Maine [Mr. LITTLEFIELD] said this morning that he would not imitate what he attributed to the gentleman from New York [Mr. COCKRAN]. He said he made a "violent, vituperative, and demagogic assault upon the Republican party." He said he would not imitate him, but I am sorry to say that he has exceeded him, even if his description of the gentleman's speech were correct, because he said that "the Democratic party was a party held together by the cohesive power of public plunder"—quoting the expression of a Democrat about the Republican party. It is the first time that this was ever said of a party in the minority. It has often been applied to your party. He said we would go out in the next campaign without any issues of any sort.

What issue are you going on? You are going upon the issue borrowed from the gambler's table of "standing pat." [Applause on the Democratic side.] What is that issue, thus expressed in your own way, but negation, stagnation, passivity, nonaction? And why are you in such a hurry to leave here now? Why is it that the public rumor says, at any rate, that over there in that body at the other end of this Capitol—where the brilliant Iowan, Mr. DOLLIVER; the brilliant Tennesseean, Mr. CARMACK; the old sage, Mr. MORGAN, of Alabama and the balance of them, disport themselves to the great amusement, sometimes, but sometimes to the great edification, of the world—orders are being received from the White House, "Hist! get thee gone?" Why is it that public rumor says that the Chief Executive is hurrying up the Senate and hurrying up the House and trying to get rid of our sort of "cattle?"

You say we are "going into the next campaign with no principles and no policies." Why, the only trouble with us is that the policies made by your nonaction and by your malaction have been growing up around us until they are numerous enough to constitute a political wilderness, out of which we can hardly find our way. You say we have no issues, and yet you are literally running away from Washington in order to evade issues. We want to know which is the biggest plank in your political concern? You answer, "Stand pat." The other day I was asked the question, why it was that you were in such a hurry to get away, and I answered it in an interview in the Washington Post, and in that interview I spoke as follows:

You ask me why the Republican majority seems to be so anxious to adjourn Congress and if in an early adjournment it will leave behind it any matters of great importance unconsidered. My answer is, generally, that they are anxious to adjourn for the express purpose of preventing the consideration of matters which will be, or ought to be, issues in the coming campaign—matters of such importance to the people of the United States as cryingly to demand attention. For example, there is pending before the Committee on the Post-Office and Post-Roads a resolution requesting that there be transmitted to the House of Representatives all the papers and evidence touching upon the investigation of the frauds and irregularities in the Post-Office Department. The executive department has shielded itself behind the plea that such a transmission of its information would "defeat the ends of public justice," and have never furnished either to the House or to the country all of such information even as it chose to obtain.

PROSECUTION OF COAL TRUST.

Again, there is pending before the Committee on Judiciary a resolution calling for such information as has been obtained by any investigation made with the view of prosecuting the so-called anthracite coal trust, consisting of the anthracite coal-carrying railways doing an interstate business, and before that same committee a resolution of inquiry asking whether any criminal proceedings have been instituted by the Department of Justice against the criminals declared guilty by the Supreme Court in the Northern Securities case of having violated the antitrust act. Thus far nothing save a letter

from the Department of Justice saying that it would be "incompatible with the good of the public service" to give the information that has been received, and the committee has done nothing in the premises. This, taken together with the declaration of the Attorney-General that the Government would not "run amuck" against the trusts, which, being translated into plain English, means that the Government will not wield the sword of the law, is very significant. It is not novel, however.

The people of the United States have become accustomed to two ideas: The idea that the Executive can make laws—for example, by declaring frog legs to be "dressed poultry," and by declaring a piano tuner's wooden hammer to be "manufactures of wool," and by declaring a bill seeking enactment in both Houses for service pension to be already law.

They have also become accustomed to the second idea, to wit, that notwithstanding the oath of the Executive "to faithfully execute the laws of the United States," the Executive will exercise a broad discretion and will execute such laws as it deems wise or politic and will leave unexecuted those deemed by it unwise or impolitic. In this connection, it goes without saying that if the party in power did its full duty it would investigate the alleged frauds in the Indian Territory, punishing the guilty parties—if any there be—and also the alleged frauds in the Land Office, the allegations in both cases being made by servants of the Government itself and servants seemingly worthy of credence.

GRANT OF NECESSARY POWER.

There are important matters pending before the Interstate and Foreign Commerce Committee which ought to receive consideration before the adjournment of Congress. There is a bill pending to give the Interstate Commerce Commission—the power has been begged for by the Interstate Commerce Commission itself—when a given rate, involved in actual litigation, after a full hearing, is declared unreasonable, power to declare at the same time what shall constitute a reasonable rate in lieu thereof. And yet such is the power of the railroads in Washington that a hearing and a vote upon the bill have not thus far been procured in the Committee on Interstate and Foreign Commerce, though I have been informed by a distinguished gentleman from Chicago, an officer in the Shippers' Association, that if it could be gotten to a vote in the committee there are at least three Republican members of that committee pledged to vote for it, in which event, of course, it would pass.

There is a bill pending before that same committee in the interest of the victims of exploiting syndicates to penalize overissuance of stock by combinations or trusts engaged in interstate commerce, and thereby to penalize and to prevent the overvaluation of plants consolidated. Fraudulent, "get-rich-quick" concerns have wrought no greater and no broader nor more criminal oppression and swindling than that which is sought to be cured by the proposed legislation.

There is also pending before that same committee a bill to provide that no person, firm, corporation, or combination of corporations engaged in interstate commerce shall make it a condition of the sale of articles handled by them that the purchaser shall not sell to or buy from any other person, firm, corporation, or association. There is nothing novel about this act. It is copied verbatim from the Massachusetts statutes. The enactment of this single bill would, in my opinion, prevent most of the harmful operations of the sugar and tobacco trusts. It is a fact known of all men that these trusts dictate that those who purchase from them shall not deal with certain persons in certain goods. These trusts not only fix the wholesale price of sugar and tobacco, but dictate to the retail dealer the price at which he shall sell, to whom he shall not sell; and to the producer what he shall receive for the raw material.

LIBERTY IN THE PHILIPPINES.

There is pending before the Committee on Insular Affairs a resolution requesting the Secretary of War to inform the House "whether and to what extent, since the close of the war in the Philippines, the right of free speech prevails in those islands, and particularly whether there is any denial of the right of the inhabitants of those islands to advocate through the press, by petitions, or in orderly public meetings the independence of their country by a peaceable separation from the United States?" It is curious that a Republican National Legislature, which can find time to exploit the Philippines for purposes of greed, by declaring that the coastwise laws of the United States do and ought to apply there, can not find time to declare that the right of petition, the right of public association, and the constitutional guaranty of the freedom of the press do also apply in those islands, even in times of profound and boasted peace.

It is curious to note how, like Mahomet's coffin, the Philippines are suspended in midair. All of those laws, by application of which the rank commercialism of the United States can make money, are applied to the Philippine Islands and to the people of the Philippine Islands. For the purpose of commercial exploitation the Philippines are domestic territory. But when it comes to the right of petition, the right of peaceable assembly, the right of freedom of the press, and the right to enjoy the incalculable benefits of the broadest free-trade relations this world has ever known, viz, the free-trade constitutionality guaranteed between all parts of the domain of the American Union, these laws are declared, within the discretion of the Philippine czar, who is the American Secretary of War, not to be applicable, and a Republican National Legislature can not find time, forsooth, to declare them, or any of them, applicable. And thus it is that, for purposes of benefit to the Filipinos themselves, the Philippine Archipelago is foreign territory and not entitled to the equal benefits of equal laws.

NOTHING EXCEPT SPEND MONEY.

This Congress has done nothing except spend money, and yet it can not find time, forsooth, to consider a bill pending before the Committee on War Claims for the purpose of refunding money now in the Treasury, collected as a cotton tax in 1865, 1866, and 1867, under a law declared by the Supreme Court of the United States to be unconstitutional. The money lies there—legally speaking, the money of no man—awaiting the technical action of Congress to restore it to its rightful owners.

The Republican party would have the country to believe that there is "no time" to consider a resolution which is pending, having been referred to the Committee on Foreign Affairs, to wit, a resolution expressing the pleasure which the House of Representatives would feel if the President of the United States would "take steps toward reconvening the Joint High Commission for the purpose of considering and agreeing upon freer and more amicable trade relations between the United States and the Dominion of Canada." Thirty thousand heads of families moved from the United States last year to Canada. About that number of farms have been opened by Americans settling there. The "manifest destiny" of the North American Continent is first commercial and then afterwards—perhaps long afterwards—political unity; and yet the present trade relations between the two countries are such that Canada regards as enemies, so far as trade is concerned, the hundreds of thousands of Canadians who have settled in New England and in other parts of the United States, and the United States treats as enemies the tens of thousands of our sons and daughters who are now occupying and cultivating Canadian soil.

RECIPROCITY WITH CANADA.

Notwithstanding the fact that perhaps eight-tenths of the American people are desirous of closer trade relations with our northern neighbors, the present committee in the House has not "found time," although much time has been spent about little things, to report to the House the resolution referred to, and the House "could not find time" to consider it if reported, and yet the other day, in the Massachusetts Republican convention, the junior Senator from that State, who appears to be, intellectually or otherwise, the Republican "boss" there, defeated a resolution in favor of Canadian reciprocity by professing that Canadian reciprocity was the intention of the Republican Administration, and that the passage of a resolution of that sort would be "a slap in the face of the Administration."

And yet the junior Senator from Massachusetts understood before he said that, and while he was saying it, that Representative DALZELL of Pennsylvania had been put forward by his party in the House of Representatives to express the orthodox Republican view upon this question of reciprocity, and, amid the cheers and plaudits of his Republican colleagues, had announced that the Republican policy consisted in "reciprocity in noncompeting products." When asked what possible product there was of the farm, the mines, the forest, or the factory in Canada which was noncompetitive—that is to say, which would not have its duplicate in the shape of a like product in the United States of America—he naturally could not reply, and finally, amid the cheers of his colleagues, said substantially—I am not quoting his words exactly—that he could not understand any sort of reciprocity with Canada that could be beneficial to the United States. A convention was never more clearly "bunkoed" than the Massachusetts convention was "bunkoed" by its junior Senator.

In that connection it is well to remember also that several reciprocity measures are pending before the Committee on Ways and Means. One of them is a bill to carry into effect the provisions of the French reciprocity convention, which was approved on July 24, 1897, and transmitted to the Senate, with his approval, by the lamented President McKinley, whose policy the present incumbent of the White House pretends to be carrying out. Consideration has not thus far been obtained in that committee for the consideration of that bill, although it has been, at least, requested. It will not be reported favorably, although I hope to get consideration in committee for it.

EFFORTS OF SENATOR LODGE.

It is said, though with how much truth I do not know, that the French reciprocity treaty was defeated in the Senate mainly by the efforts of the junior Senator from Massachusetts, and it is also said, with how much truth I do not know, that the reason for his bestirring himself in that behalf was that the treaty would, in his opinion, decrease the profits made by a certain New England factory in certain knit goods.

To show the importance of that treaty one has only to remember that if it were concluded we would be liable to pay as import duties on our goods shipped to France only the minimum rates of the French tariff law, rates now enjoyed by most of the other countries of the world, whereas now we pay the materially higher maximum rates, thereby excluding from the French markets very many American products that ought to find a sale there and making more difficult the sale of all American products except such few as are upon the French free list. When it is asked what we would give in return it may be answered that the highest reduction of duties that we make for all this is 20 per cent on nine schedules and 15 per cent, 10 per cent, and 5 per cent upon various other schedules. When it is remembered that the Dingley bill itself declares that a reduction of 20 per cent can not be harmful to American industries by providing that that percentage of reduction may be made by the President in reciprocity treaties, it will become for sane men a still greater cause of wonderment that a Republican National Legislature, which can "find time" for all sorts of little things, can not "find time" for the consideration of this bill.

SECURE MARKETS OF WORLD.

A bill of much more importance than this, however, has been pending before the Committee on Ways and Means, and was voted down in committee by a strict party vote—viz, a bill to enlarge our markets all over the world by holding out as a reward a 20 per cent reduction upon our tariff rates, to be extended to all nations which do now, or may hereafter, admit the natural products of the United States to their markets free of import duties. Natural products mean the products of the forest, of the mine, and of the field. Let all Americans, but especially the American farmer, deliberate long and well upon what this, and the course of policy which it would inaugurate, mean to the country, and then let the Republican party, if it will, meet them with the idle pretense that there was "no time to consider" it.

The great Secretary of the Treasury, Robert J. Walker, recommended to Congress a very restricted free list. Being a Democrat, he realized the truth of the Democratic contention, first, that the tariff is a tax; secondly, that it is a tax upon the consumer, and, thirdly, that it is Democratic for taxation to constitute, as nearly as possible, an equal burden upon all citizens without undue favoritism or undue hindrance to any, and, therefore, that there ought not to be a very extensive free list, and such articles as are placed on the free list ought to consist of the prime necessities of life or of industries. Among the very few things which he recommended to be put on the free list as a prime necessity, both of life and of industries, especially in the curing of meats for export, was salt. By a strict party vote in the Committee on Ways and Means a bill to put salt on the free list was voted down. There ought to "have been time" to permit the House of Representatives to consider that measure.

WANT HIDES ADMITTED FREE.

There was pending before the Committee on Ways and Means a bill to put hides upon the free list, and with hides to place leather of all sorts—boots, shoes, saddles, and harness—on the free list. New England has been pleading piteously for free hides, and a majority of its boot and shoe manufacturers have announced that they would rather have free boots and shoes than not to have free hides. Well might they have made the announcement, because they have demonstrated, by selling their boots and shoes to all parts of the world, in competition with the capital and with the labor of the world, the fact that the boot and shoe industries of the United States need no protection. This bill was voted down in the committee by a strict party vote.

The committee was then asked to consider another bill upon the same question, viz, to reduce the duty on hides to 5 per cent ad valorem and to cut down one-half the duty now imposed by law, under the Dingley Act, on harness, leather, boots and shoes, imported into the United States. Certainly, methought that if New England boot, shoe, and harness makers can sell to the world, they will be safe at home from invasion of the "products of pauper labor," whose competition they meet abroad, after paying freight and insurance, if they had a reduction of 50 per cent of the existing rate, especially when a majority of them have said that they would rather have no protection at all than to pay the present tax on hides. But this was also bowled down by a party vote upon a committee where the Republicans have eleven members and the Democrats only six.

On the 1st of January, 1903, the Republican national legislature, forced to it by public opinion, put anthracite coal upon the free list, and subsequently paid back a rebate of duties upon all other coals for the period of one year.

Coal, therefore, went down, as I demonstrated on the floor of the House, by the testimony of the actual dealers and importers thereof, but it did not go down to a point where it either stopped the profits of the American producers or caused any material or hurtful reductions of those profits. A year's experience demonstrated to West Virginians, who had gone Republican because of the menace of "free coal" and because of an actual reduction of the duty on it by a Democratic national legislature, that West Virginia and Alabama and Tennessee coal was perfectly safe from the competion of the world without a cent of duty. Not only a year's experience, but the experience from January 1, 1903, until now has demonstrated the same fact with regard to anthracite coal, which has been permanently put upon the free list, and is there now, to the great benefit of New England and New England manufacturers and housekeepers.

COAL ON THE FREE LIST.

Keeping these facts in mind, learn this in addition: There was a bill introduced and referred to the Committee on Ways and Means to put bituminous coal—that is, "all coal"—upon the free list. That was voted down by a strict party vote. Then just to see if the Republican party would do anything to prevent in the future in the case of bituminous coal, the horrible suffering and excitement which had taken place with regard to the control of anthracite coal by anthracite coal-carrying transportation companies, constituting, with the mine owners, an anthracite coal trust, an innocent little bill was introduced and referred to that committee, to extend the rebate upon bituminous coal, which had been given for one year, from January 1, 1903, until January 1, 1904, still further one year until January 1, 1905. This bill was also voted down by a strict party vote in committee.

Remember that it had been demonstrated by a year's experience that the bituminous coal fields of Alabama, Tennessee, West Virginia, and Illinois, and other parts of the country were not in the slighest degree injured by the competition of the bituminous coal of all the world, although they were prevented from keeping prices up to the extortionate level at which they had them, and at which they would have held them but for the rebate. Now, what can be the object in the minds of the Republican Members of the House in refusing to learn this little lesson of experience? It must be either one of two things—the disinclination to continue to furnish an object lesson of the inutility of certain schedules of the Dingley bill, or else a desire to enable their campaign-fund providers to have a further shelter under which to extort from the American consumer.

Just to see how far the Republican party would go in its idiotic determination to "stand pat," a bill was introduced and referred to the Ways and Means Committee to reduce duties wherever now over 500 per cent (whether expressed specifically or ad valorem, or in both ways) to the level of 500 per cent. This bill has not yet received the consideration of the committee, but if it shall be considered it will be defeated in committee, and if it were reported favorably by the committee the pretext would be urged that we have "no time" to consider it.

NOTHING MUCH BUT TIME.

The average Senator and Congressman, except from some parts of New England and the extreme West, where they are very wealthy, has more time than anything else to spend. These are great matters—all of them far-reaching in their results. I take it that the conclusion from it all is that the Republican party is determined to prevent the consideration of these things and other things equally important, and that this determination explains its anxiety to adjourn both Houses.

There was introduced and referred to the Committee on Ways and Means a bill to do for the city of Baltimore—after the great fire—just what was done for the city of Chicago after its great fire, to wit: To provide that all materials used for the rebuilding of edifices destroyed by the fire should be admitted free of duty. Whether it was because Baltimore was a Democratic city or not, or whether it was because the Republican party, in its last agonized and agonizing struggle of desperation, dared not loosen one little joint in its armor of protectionism, this bill was also voted down in the committee by a strict party vote. By this same vote the same committee has refused to break up the present unholy partnership existing between the Federal Treasury and the national banks, whereby over $150,000,000 of the people's money is now lent to the national banks for an indeterminate time, without any prescribed rule to determine just which bank shall receive the special favor, and free of all interest on the amounts thus deposited or lent.

To sum up the situation, the Republican party is anxious to "get home" because, until after the election, it does not want corruption in the Departments, abuses in the law, Executive usurpation of legislative power, tariff-tax extortions, or anything else to be investigated or corrected, except by the friends of the abuses, usurpations, corruptions, or extortions.

[Great applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 14500. An act to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;

H. R. 1925. An act providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska; and

H. R. 15128. An act to authorize the Secretary of the Treasury to cancel a certain bond to Klaw & Erlanger.

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

S. 5603. An act for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting;

S. 5544. An act to authorize payment to the Henry Philipps Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902; and

S. R. 73. Joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

ADDITIONAL JUDGES FOR INDIAN TERRITORY.

Mr. JENKINS. Mr. Speaker, I call up the conference report on the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, and ask unanimous consent that the statement of the conferees be read in lieu of the report.

The SPEAKER. The gentleman from Wisconsin calls up a conference report, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read the statement of the conferees, which, together with the report, is as follows:

STATEMENT.

Statement of the House conferees on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The amendments of the Senate were as follows: Strike out all after the enacting clause of the House bill and insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority, exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of two years from date of appointment, and shall be members of the court of appeals for the Indian Teraitory: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables."

"That an additional recording district in the Indian Territory is hereby established, with a United States court at Wapanucka. The boundaries of said recording district shall be fixed by the judge of the central district of Indian Territory, who shall also have authority to appoint a commissioner and constable for said district."

By the amendment on page 1, line 4, by striking out the word "three" and inserting the word "four," it gives four additional judges for the Territory. The other amendment, on page 1, line 5, creates an additional judge for the northern district.

The amendment on page 2, lines 17 to 25, inclusive, and on page 3, from line 1 to line 6, inclusive, takes from the bill the additional recording districts provided for in the House bill, and prevents the judges from appointing commissioners and constables as provided for in the House bill, and the additional paragraph to section 2 appropriates $20,000 for the payment of the salaries of the judges, to be immediately available.

JOHN J. JENKINS.
LOT THOMAS.
JOHN S. LITTLE.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) entitled "An act to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House, and agree to the same with an amendment as follows, to wit: In lieu of the matter inserted by the Senate amendment insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority and exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of four years from date of appointment, unless said offices are sooner abolished by law. Neither the additional judges nor their successors in office shall be members of the court of appeals for the Indian Territory, but they shall hold such courts, in their respective districts, as may be directed by the court of appeals of the Indian Territory, or majority of the judges thereof in vacation: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables in said districts, and hereafter at least three terms of court shall be held in each year at

each place of holding court in the Indian Territory, the times to be fixed in the manner now provided by law.

"SEC. 2. All the laws of Arkansas heretofore put in force in the Indian Territory are hereby continued and extended in their operation, so as to embrace all persons and estates in said Territory, whether Indian, freedmen, or otherwise; and full and complete jurisdiction is hereby conferred upon the district courts in said Territory in the settlements of all estates of decedents, the guardianships of minors, and incompetents, whether Indians, freedmen, or otherwise.

"That the sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of salaries of the judges hereby authorized, the same to be immediately available."

And the House agree to the same.

Amend the title so as to read: "A bill to provide for additional United States judges in the Indian Territory, and for other purposes."

JOHN J. JENKINS,
LOT THOMAS,
JOHN S. LITTLE,
Managers on the part of the House.
O. H. PLATT,
C. D. CLARK,
A. O. BACON,
Managers on the part of the Senate.

Mr. JENKINS. Mr. Speaker, I move the adoption of the conference report.

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

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

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

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 26, 1904:

H. R. 2009. An act for the relief of the estate of Sven J. Johnson;

H. R. 15014. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes;

H. R. 9331. An act to extend the time for completion of the East Washington Heights Traction Railroad Company; and

H. R. 10018. An act granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement.

On April 27, 1904:

H. R. 4570. An act to provide an American register for the steamer *Beaumont;*

H. R. 11676. An act to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect;

H. R. 4483. An act declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes; and

H. R. 12044. An act to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan.

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. 7246. An act to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery;

H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;

H. R. 8421. An act for the relief of Russel A. McKinley; and

H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 2698. An act to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon;

S. 5557. An act to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth;

S. R. 67. Joint resolution providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States;

S. 4955. An act to provide for the appointment of an additional assistant appraiser of the port of Boston;

S. 3182. An act to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

S. 5169. An act making Lewes, Del., a subport of entry; and

S. 3165. An act providing for second and additional homestead entries, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13712. An act granting an increase of pension to Urbanus Hubbs;

H. R. 13531. An act granting an increase of pension to Lyman J. Jones;

H. R. 13485. An act granting an increase of pension to William Glasgow;

H. R. 13405. An act granting an increase of pension to Harriet S. Gilbert;

H. R. 13381. An act granting an increase of pension to John Calloway;

H. R. 14000. An act granting an increase of pension to Bradford A. Gehr;

H. R. 14658. An act granting an increase of pension to Juliana H. Barry;

H. R. 14145. An act granting an increase of pension to Abel D. Brooks;

H. R. 14179. An act granting an increase of pension to Jesse Stinnett;

H. R. 14102. An act granting an increase of pension to Robert W. Foster;

H. R. 14270. An act granting an increase of pension to Loucinda M. Thompson;

H. R. 14307. An act granting an increase of pension to Devernia White;

H. R. 14286. An act granting an increase of pension to Jennie L. Cardwell;

H. R. 14155. An act granting an increase of pension to George W. Kinsey;

H. R. 14363. An act granting an increase of pension to Pocahontas C. Monteiro;

H. R. 1903. An act granting an increase of pension to Claudius Tifft;

H. R. 2183. An act granting an increase of pension to Joseph A. Soule;

H. R. 2940. An act granting an increase of pension to Hester A. Hanback;

H. R. 2948. An act granting an increase of pension to John Wilson;

H. R. 2994. An act granting an increase of pension to Minnie H. Eaton;

H. R. 13371. An act granting an increase of pension to James T. Thompson;

H. R. 14510. An act granting an increase of pension to Daniel M. Graves;

H. R. 14409. An act granting an increase of pension to William F. McMillan;

H. R. 14016. An act granting an increase of pension to William Whealton;

H. R. 14693. An act granting an increase of pension to Susan A. Schell;

H. R. 13364. An act granting an increase of pension to John Cook;

H. R. 13643. An act granting an increase of pension to Joseph Welsh;

H. R. 12992. An act granting an increase of pension to Henry Hiete;

H. R. 13409. An act granting an increase of pension to Alfred Small;

H. R. 14017. An act granting an increase of pension to Louis Voll;

H. R. 14149. An act granting an increase of pension to David Wiels;

H. R. 13958. An act granting an increase of pension to Eliza A. Moss;

H. R. 12413. An act granting an increase of pension to Timothy Haley;

H. R. 12553. An act granting an increase of pension to Amaziah Havey;

H. R. 12676. An act granting an increase of pension to James A. Barber;

H. R. 12253. An act granting an increase of pension to Margaret Dilley;

H. R. 12164. An act granting an increase of pension to Joseph Davis;
H. R. 12199. An act granting an increase of pension to James Bramble;
H. R. 3829. An act granting an increase of pension to Eben Fuller;
H. R. 4201. An act granting an increase of pension to Walker Wilson;
H. R. 875. An act for the relief of Harry C. Mix;
H. R. 965. An act granting an increase of pension to Franklin Webb;
H. R. 784. An act granting an increase of pension to Joseph Vactor;
H. R. 785. An act granting an increase of pension to Henry C. Bobst;
H. R. 748. An act granting an increase of pension to Eben H. Meader;
H. R. 747. An act granting an increase of pension to George D. Totman;
H. R. 737. An act granting an increase of pension to Albert Hemenway;
H. R. 683. An act granting an increase of pension to Thomas S. Strohecker;
H. R. 186. An act granting an increase of pension to Amalia C. Young;
H. R. 12613. An act granting an increase of pension to Edward L. Haney;
H. R. 12194. An act granting an increase of pension to Nathaniel Warren;
H. R. 12323. An act granting an increase of pension to Josiah Wood;
H. R. 12804. An act granting an increase of pension to Smith B. Mills;
H. R. 12480. An act granting an increase of pension to Henry J. Arnold;
H. R. 12174. An act granting an increase of pension to John Smith;
H. R. 12966. An act granting an increase of pension to Charles H. Laky;
H. R. 12993. An act granting an increase of pension to John Hotchkiss;
H. R. 12248. An act granting an increase of pension to Hezekiah Bruce;
H. R. 12277. An act granting an increase of pension to James A. Rapp;
H. R. 14278. An act granting an increase of pension to Byron Bowers;
H. R. 13744. An act granting an increase of pension to Frederick C. Abel;
H. R. 13527. An act granting an increase of pension to William Odenheimer;
H. R. 13363. An act granting an increase of pension to Benjamin L. Commons;
H. R. 13543. An act granting an increase of pension to Henry Clay Hall;
H. R. 13142. An act granting an increase of pension to William M. Lang;
H. R. 13879. An act granting an increase of pension to Abraham S. Van Fleet;
H. R. 13907. An act granting an increase of pension to John W. Hilton;
H. R. 13345. An act granting an increase of pension to Jeremiah Gill;
H. R. 9978. An act granting an increase of pension to Samuel Iverson;
H. R. 9797. An act granting an increase of pension to Thomas Laugridge;
H. R. 9687. An act granting an increase of pension to Alexander S. Hempstead;
H. R. 9585. An act granting an increase of pension to Nelson McIntosh;
H. R. 10708. An act granting an increase of pension to Alfred A. Burrell;
H. R. 10182. An act granting an increase of pension to Isaac Innis;
H. R. 10555. An act granting an increase of pension to William L. Gerard;
H. R. 10642. An act granting an increase of pension to Garrett Stanley;
H. R. 14306. An act granting an increase of pension to Martha Taylor;
H. R. 14005. An act granting an increase of pension to George W. Jaques;
H. R. 14579. An act granting an increase of pension to Elizabeth J. Moore;
H. R. 13196. An act granting an increase of pension to Fanny A. Hutchason;
H. R. 13110. An act granting an increase of pension to George C. Birch;
H. R. 13792. An act granting an increase of pension to Ellenora Clavier;
H. R. 15228. An act establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.;
H. R. 9740. An act granting an increase of pension to William W. Newton;
H. R. 10169. An act granting an increase of pension to Isaac N. Flanagan;
H. R. 10544. An act granting an increase of pension to Henry H. Rhoads;
H. R. 11259. An act granting an increase of pension to George W. Stennett;
H. R. 11748. An act granting an increase of pension to Edward E. Curran;
H. R. 11193. An act granting an increase of pension to Abbie W. Griffin;
H. R. 11315. An act granting an increase of pension to Christian Mott;
H. R. 11576. An act granting an increase of pension to James E. Stalker;
H. R. 11150. An act granting an increase of pension to Marvin A. Wixson;
H. R. 11293. An act granting an increase of pension to Frank Fuchs;
H. R. 11308. An act granting an increase of pension to Silas T. Overstreet;
H. R. 11468. An act granting an increase of pension to Edson G. Holcomb;
H. R. 11487. An act granting an increase of pension to John Wybrant;
H. R. 11536. An act granting an increase of pension to Mattie Graziani;
H. R. 12398. An act granting an increase of pension to Samuel N. Johnson;
H. R. 12617. An act granting an increase of pension to Ezra V. Felton;
H. R. 12526. An act granting an increase of pension to Henry Ford;
H. R. 12727. An act granting an increase of pension to Theodore Coonley;
H. R. 12440. An act granting an increase of pension to Edward M. Sheppard;
H. R. 12276. An act granting an increase of pension to Isaac W. Acker;
H. R. 8219. An act granting an increase of pension to William H. Broadwell;
H. R. 8480. An act granting an increase of pension to Elijah Rearick;
H. R. 8783. An act granting an increase of pension to Mary Ann Phipps;
H. R. 8787. An act granting an increase of pension to Robert W. Brasher;
H. R. 8921. An act granting an increase of pension to John McCollister;
H. R. 9788. An act granting an increase of pension to George W. Blanchard;
H. R. 9496. An act granting an increase of pension to Hester E. Bloor;
H. R. 9839. An act granting an increase of pension to James A. Kemp;
H. R. 9832. An act granting an increase of pension to Edwin M. Alden;
H. R. 9257. An act granting an increase of pension to John Ogden;
H. R. 9575. An act granting an increase of pension to John Donahoe;
H. R. 9516. An act granting an increase of pension to Henry Johnson;
H. R. 9427. An act granting an increase of pension to Chester A. Buck;
H. R. 9388. An act granting an increase of pension to Lineus V. Vance;
H. R. 9963. An act granting a pension to Grace Miller;
H. R. 13729. An act granting a pension to Margaret W. Goodwin;
H. R. 13728. An act granting a pension to Isabella McDowell;
H. R. 13328. An act granting a pension to Martin R. Gentry;
H. R. 13190. An act granting a pension to Eveline Crouch Dunbar;
H. R. 13937. An act granting a pension to George W. Litherland;

H. R. 8822. An act granting a pension to Bird L. Francis;
H. R. 8469. An act granting a pension to Silas R. Harris;
H. R. 8464. An act granting a pension to Susan T. Bunch;
H. R. 187. An act granting a pension to Clarissa Wolcott;
H. R. 11776. An act granting a pension to Hugh Mooney;
H. R. 11989. An act granting a pension to Emma C. Dougal;
H. R. 11058. An act granting a pension to Mary Apple.
H. R. 10288. An act granting a pension to Anna E. Harman;
H. R. 10270. An act granting a pension to Mary F. Kenaday;
H. R. 2462. An act granting a pension to Martha Briscoe;
H. R. 5737. An act granting a pension to John Whitehead;
H. R. 8961. An act granting a pension to Frances E. Grisson;
H. R. 10286. An act granting a pension to Ellen M. Malloy;
H. R. 12400. An act granting a pension to Ellen Cain;
H. R. 12529. An act granting a pension to Sarah Greene;
H. R. 12783. An act granting a pension to Harlen Scarlett;
H. R. 12062. An act granting a pension to Edward H. Bennett;
H. R. 7985. An act granting a pension to Alice Jenifer;
H. R. 6643. An act granting a pension to Harry Hirschensohn;
H. R. 5600. An act granting a pension to David Kimball;
H. R. 4907. An act granting a pension to Henry A. Hartley;
H. R. 4583. An act granting a pension to Ella C. Baker;
H. R. 4044. An act granting a pension to William H. Slough;
H. R. 13869. An act granting a pension to Sarah M. Greer;
H. R. 13494. An act granting a pension to Cader B. Brent;
H. R. 13115. An act granting a pension to Sarah Jane Van Alstine;
H. R. 13178. An act granting a pension to Julius H. Rogge;
H. R. 14517. An act granting a pension to Lillie A. Schoppaul;
H. R. 2367. An act granting a pension to Merton C. Sanborn;
H. R. 1045. An act granting a pension to Matilda Witt;
H. R. 13299. An act granting a pension to Edah A. Kittridge;
H. R. 14598. An act granting a pension to Joseph Otis;
H. R. 14354. An act granting a pension to Peter Bunn;
H. R. 14518. An act granting a pension to Henderson Evins;
H. R. 13687. An act granting an increase of pension to Henry A. Davies;
H. R. 5033. An act granting an increase of pension to Roland J. Roberts;
H. R. 5361. An act granting an increase of pension to Lucilius C. Moss;
H. R. 6697. An act granting an increase of pension to Luther F. Palmer;
H. R. 7245. An act granting an increase of pension to Prescilla C. Dodd;
H. R. 7471. An act granting an increase of pension to John Schade, sr.;
H. R. 7502. An act granting an increase of pension to John W. Moore;
H. R. 8496. An act granting an increase of pension to Joseph Howard;
H. R. 8386. An act granting an increase of pension to Andrew S. Esdell;
H. R. 8915. An act granting an increase of pension to Warren McCracken;
H. R. 8498. An act granting an increase of pension to Jonathan Klingenfus;
H. R. 12591. An act granting an increase of pension to Thomas Haydock;
H. R. 14397. An act granting a pension to Mary E. Vanzant;
H. R. 12652. An act granting an increase of pension to Mary L. Johnson;
H. R. 12105. An act granting an increase of pension to James A. Lowe;
H. R. 13461. An act granting an increase of pension to William Curtis;
H. R. 13421. An act granting an increase of pension to Micajah Hill, alias Michael C. Hill;
H. R. 13623. An act granting an increase of pension to Marion A. Carlile;
H. R. 13650. An act granting an increase of pension to William J. Caldwell;
H. R. 13669. An act granting an increase of pension to Mary E. Wyse;
H. R. 13767. An act granting an increase of pension to Daniel Pew;
H. R. 13743. An act granting an increase of pension to David C. Welch;
H. R. 13071. An act granting an increase of pension to John S. Whitmore;
H. R. 13453. An act granting an increase of pension to Ezekiel Steel;
H. R. 13321. An act granting an increase of pension to John B. Mitchell;
H. R. 13518. An act granting an increase of pension to Chester R. Heath;
H. R. 10699. An act granting an increase of pension to Henry J. Brockway;
H. R. 11063. An act granting an increase of pension to Robert L. McMurtry;
H. R. 11843. An act granting an increase of pension to William Hall;
H. R. 10126. An act granting an increase of pension to Job Throckmorton;
H. R. 9393. An act granting an increase of pension to Thomas P. Ryan;
H. R. 9969. An act granting an increase of pension to James Frederic;
H. R. 10062. An act granting an increase of pension to Oscar Murray;
H. R. 6610. An act granting an increase of pension to Samuel Hendrickson;
H. R. 8709. An act granting an increase of pension to James A. Porter;
H. R. 8805. An act granting an increase of pension to Mary A. Disbrow;
H. R. 902. An act granting an increase of pension to Isaac C. B. Suman;
H. R. 1339. An act granting an increase of pension to Joseph P. Scott;
H. R. 1480. An act granting an increase of pension to Edgar W. Thornton; and
H. R. 3265. An act granting an increase of pension to Catharine Cook.

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. 4352. An act relative to fees and commissions on final entry or commutation of homestead entries—to the Committee on the Public Lands.

S. 5462. An act for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased—to the Committee on Claims.

S. 3043. An act for the relief of the estate of the late John Jacoby—to the Committee on Claims.

S. R. 73. Joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

S. 5603. An act for the preservation of historic and prehistoric ruins, monuments, archæolgical objects, and other antiquities, and to prevent their counterfeiting—to the Committee on the Public Lands.

S. 4504. An act for the relief of Smith R. Mershon—to the Committee on Claims.

S. 3440. An act to revoke sentence and establish the military record of Capt. George G. Leavett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865—to the Committee on Military Affairs.

LEAVE TO PRINT.

Mr. GROSVENOR. I send to the desk a report from the Committee on Rules.

The Clerk read as follows:

Resolved, That for the remainder of this session and for three days after the close thereof general leave to print in the RECORD shall be, and hereby is, given to all Members of the House.

Mr. GAINES of Tennessee. I object.

The SPEAKER. To what does the gentleman object?

Mr. BARTLETT. I desire to make a parliamentary inquiry.

Mr. GROSVENOR. I ask for the previous question.

Mr. BARTLETT. I wish to know in what shape this matter comes before the House—whether as a report from the Committee on Rules or as a proposition from an individual Member?

The SPEAKER. It is a report from the Committee on Rules.

Mr. BARTLETT. We did not so understand.

The SPEAKER. That is not strange, in view of the confusion.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. WILLIAMS of Mississippi. I understand that the question is upon a resolution to allow three days after the adjournment of Congress for the printing of leave to print speeches. Before that resolution is adopted by the House, I should like to say a few words in opposition to it.

Mr. GROSVENOR. Let the previous question be ordered, and then the gentleman can be heard.

Mr. WILLIAMS of Mississippi. Well, I will take the usual twenty minutes after the ordering of the previous question.

Mr. GROSVENOR. I will yield to the gentleman now, and then I will ask the previous question.

Mr. WILLIAMS of Mississippi. All right.

Mr. GROSVENOR. How much time does the gentleman want?

Mr. WILLIAMS of Mississippi. I did not think I should occupy more than five minutes——

Mr. GROSVENOR. I yield to the gentleman five minutes.

Mr. WILLIAMS of Mississippi. But I should like to give five minutes to the gentleman from Tennessee [Mr. GAINES].

Now, Mr. Speaker, my objection to this resolution, while it is partially partisan it is also partially nonpartisan. The partisan objection is this:

The other side of the Chamber is in power. That side has clerks in these Departments under Republican officials, who can prepare everything they want from a Republican standpoint; and matter thus prepared can, under this resolution, be shoved into the RECORD after we have all gone home and when there is no chance to contradict anything or to disprove anything. That is the objection from a partisan standpoint.

Now, from the nonpartisan standpoint—the public standpoint—I believe it is bad policy—it is bad political morals—to give Members liberty, after the House has adjourned, to insert in the RECORD things that perhaps they would have said or perhaps would not have said upon the floor of this House.

Such a proceeding is putting a premium upon political disintegrity. It is discouraging intellectual integrity; it is putting a premium upon the lack of honor, upon shrewd manipulation; and it is denying its natural reward to courage and candor—the qualities that prompt a man always to want to say what he has got to say in public, and if he has anything to say about any antagonistic person or any antagonistic body, to say it so that the antagonist can hear it and meet it.

I never but once in my life obtained in this House leave to print. I did obtain such leave once, but when I came to think the matter over, the publishing of a speech in that way seemed so much like doing a thing behind the door and not in the open that I declined to use the privilege.

I do not believe that a resolution of this sort ought to pass; I do not think it is fair to the country.

Mr. Speaker, I do not wish further to consume the time of the House. There is but that one simple thought at the bottom of anything I could say, no matter how long a time I might spend in elaborating it. It just seems to me that it is not right, after you have closed up the House, to let men shove into the RECORD whatever they please, without any chance to answer it or contradict it, giving them a chance to send it home to commit a fraud upon the people, because it appears to the people as if the thing were said upon the open floor; and the people see that and do not see any contradiction of what is said, and they say, "Here is this statement, that statement, or the other statement made in the Congress of the United States, never contradicted by anybody, and therefore necessarily true."

I do not think a resolution of this sort ought to pass.

Mr. BURLESON. It is neither fair nor just.

Mr. GROSVENOR. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Ohio moves the previous question.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Mississippi demanded a division.

The House divided; and there were—ayes 119, noes 117.

Mr. ROBINSON of Indiana. Tellers, Mr. Speaker.

Mr. WILLIAMS of Mississippi. I suggest to the gentleman that he take the record vote on the adoption of the resolution.

Mr. ROBINSON of Indiana withdrew the demand.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. GROSVENOR. I ask for a division.

The House divided; and there were—ayes 130, noes 123.

Mr. WILLIAMS of Mississippi and Mr. SULZER demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 105, nays 134, answered "present" 16, not voting 126, as follows:

YEAS—105.

Adams, Pa.	Capron,	Flack,	Hemenway,
Alexander,	Castor,	Fordney,	Henry, Conn.
Allen,	Cooper, Pa.	Foster, Vt.	Hepburn,
Bartholdt,	Cousins,	Fowler,	Hildebrant,
Bates,	Currier,	French,	Hill, Conn.
Bingham,	Curtis,	Gaines, W. Va.	Hinshaw,
Birdsall,	Dalzell,	Gardner, Mich.	Hogg,
Boutell,	Deemer,	Gardner, N. J.	Howell, N. J.
Brandegee,	Draper,	Gibson,	Howell, Utah
Brick,	Dresser,	Graff,	Huff,
Burke,	Driscoll,	Greene,	Jones, Wash.
Burkett,	Dunwell,	Grosvenor,	Kennedy,
Butler, Pa.	Dwight,	Haskins,	Kinkaid,
Calderhead,	Evans,	Haugen,	Knapp,
Knopf,	McLachlan,	Perkins,	Tawney,
Kyle,	McMorran,	Porter,	Townsend,
Lacey,	Mahon,	Powers, Me.	Van Voorhis,
Lafean,	Marsh,	Reeder,	Vreeland,
Landis, Chas. B.	Miller,	Roberts,	Wanger,
Lanning,	Moon, Pa.	Scott,	Wiley, N. J.
Lilley,	Morgan,	Slemp,	Williamson,
Littlefield,	Morrell,	Smith, Iowa	Wilson, Ill.
Longworth,	Olmsted,	Smith, N. Y.	Wright,
Loud,	Otis,	Southard,	Young.
Loudenslager,	Palmer,	Southwick,	
Lovering,	Patterson, Pa.	Spalding,	
McCall.	Payne,	Sterling,	

NAYS—134.

Adamson,	Fitzgerald,	Lind,	Scudder,
Babcock,	Fitzpatrick,	Lindsay,	Sheppard,
Badger,	Flood,	Little,	Sherley,
Baker,	Gaines, Tenn.	Livernash,	Shull,
Bankhead,	Garner,	Lloyd,	Sims,
Bartlett,	Gilbert,	McAndrews,	Slayden,
Bassett,	Gillespie,	McCarthy,	Small,
Beall, Tex.	Glass,	McNary,	Smith, Ky.
Bell, Cal.	Goldfogle,	Macon,	Smith, Samuel W.
Benny,	Granger,	Maddox,	Smith, Pa.
Benton,	Gregg,	Martin,	Smith, Tex.
Bonynge,	Hamlin,	Minor,	Snook,
Bowers,	Hardwick,	Mondell,	Southall,
Bowersock,	Harrison,	Moon, Tenn.	Spight,
Brantley,	Hay,	Needham,	Stanley,
Breazeale,	Henry, Tex.	Norris,	Stephens, Tex.
Broussard,	Hill, Miss.	Overstreet,	Stevens, Minn.
Brown, Wis.	Hitchcock,	Padgett,	Sulzer,
Brundidge,	Hopkins,	Page,	Swanson,
Burleson,	Houston,	Patterson, N. C.	Taylor,
Burnett,	Hughes, N. J.	Patterson, Tenn.	Thayer,
Caldwell,	Humphreys, Miss.	Pou,	Thomas, N. C.
Candler,	James,	Pujo,	Vandiver,
Cassel,	Johnson,	Rainey,	Van Duzer,
Clark,	Jones, Va.	Randell, Tex.	Wallace,
Clayton,	Kehoe,	Ransdell, La.	Webb,
Cockran, N. Y.	Keliher,	Richardson, Ala.	Weems,
Cowherd,	Kitchin, Claude	Rider,	Wiley, Ala.
Davis, Minn.	Kitchin, Wm. W.	Rixey,	Williams, Ill.
De Armond,	Kline,	Robinson, Ark.	Williams, Miss.
Dickerman,	Kluttz,	Robinson, Ind.	Wynn,
Esch,	Lamar, Fla.	Russell,	Zenor.
Field,	Lamar, Mo.	Ryan,	
Finley,	Lamb,	Scarborough,	

ANSWERED "PRESENT"—16.

Cochran, Mo.,	Goulden,	Livingston,	Ruppert,
Denny,	Hamilton,	Meyer, La.	Sullivan, Mass.
Dovener,	Hull,	Miers, Ind.	Wade,
Gillett, Mass.	Legare,	Otjen,	Woodyard.

NOT VOTING—126.

Acheson,	Davis, Fla.	Ketcham,	Rodenberg,
Adams, Wis.	Dayton,	Landis, Frederick	Rucker,
Aiken,	Dinsmore,	Lawrence,	Shackleford,
Ames,	Dixon,	Lester,	Sherman,
Bede,	Dougherty,	Lever,	Shiras,
Beidler,	Douglas,	Lewis,	Shober,
Bishop,	Emerich,	Littauer,	Sibley,
Bowie,	Foss,	Lorimer,	Smith, Ill.
Bradley,	Foster, Ill.	Lucking,	Smith, Wm. Alden
Brooks,	Fuller,	McCleary, Minn.	Snapp,
Brown, Pa.	Garber,	McCreary, Pa.	Sparkman,
Brownlow,	Gardner, Mass.	McDermott,	Sperry,
Buckman,	Gillet, N. Y.	McLain,	Stafford,
Burgess,	Gillett, Cal.	Mahoney,	Steenerson,
Burleigh,	Goebel,	Mann,	Sullivan, N. Y.
Burton,	Gooch,	Marshall,	Sulloway,
Butler, Mo.	Griffith,	Maynard,	Talbott,
Byrd,	Griggs,	Metcalf,	Tate,
Campbell,	Gudger,	Mudd,	Thomas, Iowa
Cassingham,	Hearst,	Murdock,	Tirrell,
Connell,	Hedge,	Nevin,	Trimble,
Conner,	Hermann,	Parker,	Underwood,
Cooper, Tex.	Hitt,	Pearre,	Volstead,
Cooper, Wis.	Holliday,	Pierce,	Wachter,
Cromer,	Howard,	Pinckney,	Wadsworth,
Crowley,	Hughes, W. Va.	Powers, Mass.	Warner,
Crumpacker,	Humphrey, Wash.	Prince,	Warnock,
Cushman,	Hunt,	Reid,	Watson,
Daniels,	Hunter,	Rhea,	Weisse,
Darragh,	Jackson, Md.	Richardson, Tenn.	Wilson, N. Y.
Davey, La.	Jackson, Ohio	Robb,	
Davidson,	Jenkins,	Robertson, La.	

So the resolution was rejected.

The Clerk announced the following additional pairs:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Until further notice:

Mr. BROWNLOW with Mr. PIERCE.

Mr. BRADLEY with Mr. GOULDEN.

Mr. CONNER with Mr. WADE.

Mr. PEARRE with Mr. GUDGER.

Mr. SPERRY with Mr. LEVER.

Mr. SULLOWAY with Mr. EMERICH.

On this vote:

Mr. JENKINS with Mr. UNDERWOOD.

Mr. MCCLEARY of Minnesota with Mr. HOWARD.

Mr. HAMILTON with Mr. GRIGGS.

Mr. CAMPBELL with Mr. TATE.

Mr. BEIDLER with Mr. CROWLEY.

Mr. ACHESON with Mr. CASSINGHAM.

Mr. LAWRENCE with Mr. RICHARDSON of Tennessee.

Mr. HUGHES of West Virginia with Mr. RUCKER.
Mr. GILLETT of California with Mr. GARBER.
Mr. MCCREARY of Pennsylvania with Mr. WILSON of New York.
Mr. MURDOCK with Mr. MAYNARD.
Mr. SMITH of Illinois with Mr. SHACKLEFORD.
Mr. WACHTER with Mr. LUCKING.
For the balance of the session:
Mr. JACKSON with Mr. DOUGHERTY.
For the day:
Mr. HITT with Mr. DINSMORE.
For the remainder of the day:
Mr. MUDD with Mr. DENNY.
Mr. KETCHAM with Mr. AIKEN.
Mr. LITTAUER with Mr. HEARST.
Until 9 p. m.:
Mr. GILLETT of Massachusetts with Mr. TALBOTT.

Mr. GOULDEN. Mr. Speaker, I wish to withdraw my vote of "no" and answer "present."

The Clerk called the name of Mr. GOULDEN, and he answered "present."

Mr. DENNY. Mr. Speaker, I voted "no." I desire to withdraw that vote and to answer "present."

The Clerk called the name of Mr. DENNY, and he answered "present."

The result of the vote was then announced as above recorded. [Applause on the Democratic side.]

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the vote by which the resolution was rejected was laid on the table.

BRIDGES ACROSS SPUYTEN DUYVIL CREEK.

The SPEAKER. The gentleman from New York [Mr. GOULDEN] calls up the following bill, which was pending a short time ago.

The Clerk read as follows:

A bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and the bulkhead lines as now established in the city of New York.

The SPEAKER. The gentleman will forward his amendment.

Mr. GOULDEN. Mr. Speaker, I have withdrawn my amendment under the urgency of the case entirely, and allow the bill to go through as it is.

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

On motion of Mr. GOULDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARSENAL GROUNDS, ST. LOUIS, MO.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution I send to the desk.

The Clerk read as follows:

Joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to allow to the Anheuser-Busch Brewing Association a right of way through the extreme eastern limits of the United States arsenal grounds at St. Louis, Mo., for railroad purposes, upon such terms and conditions as he may prescribe, reserving to the United States the right to remove, at the expense of the said association, the rails, ties, and other parts of said road whenever the Secretary of War shall direct, without any claim or right of damages on the part of said company.

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

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BARTHOLDT, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

TRINITY RIVER, TEXAS.

Mr. BEALL of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 5092.

The Clerk read as follows:

A bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

Be it enacted, etc., That the provision, as provided in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War to expend so much as may be necessary of the funds appropriated and pledged in the construction of one lock and dam on the river between the mouth and section 1, and, in his discretion, to modify the plans of locks and dams described in House Document No. 409, Fifty-sixth Congress, first session, in such manner as in his judgment will be most suitable and beneficial to the interests of navigation.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert:

"That the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War, in his discretion, to spend so much as may be necessary of the funds appropriated in the construction of one lock and dam on the river between the mouth and section 1."

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to inquire if this bill has been favorably reported by the River and Harbor Committee?

Mr. BEALL of Texas. In answer to the gentleman I will say that the bill has been reported from the Committee on Rivers and Harbors.

Mr. RANSDELL of Louisiana. It was unanimously reported.

The amendment was agreed to.

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

On motion of Mr. BEALL of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title of the bill was amended so as to read as follows:

An act to amend the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

PUYALLUP ALLOTTED LANDS.

The SPEAKER laid before the House the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903, with Senate amendment, which was read.

Mr. JONES of Washington. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. JONES of Washington, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

The title was amended so as to read:

An act confirming the removal of restrictions upon the alienation by the Puyallup Indians of the State of Washington of their allotted lands.

BRIDGE ACROSS MISSISSIPPI RIVER, MINNESOTA.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider the following Senate bill.

The bill was read, as follows:

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

Be it enacted, etc., That an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904, is hereby amended so as to read as follows:

"That the town of Otsego, in the county of Wright, the county of Wright, and the village of Elk River, in the State of Minnesota, through their corporate authorities, are hereby authorized and empowered to construct and maintain a wagon and foot bridge, with necessary approaches, across the Mississippi River for the purpose of connecting the village of Elk River, in Sherburne County, with the town of Otsego, in Wright County. Such bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, animals, foot passengers, and for all road travel.

"SEC. 2. That the said bridge authorized to be constructed under this act shall be built and constructed, upon plans to be approved by the Secretary of War, from the south side of the river, in the town of Otsego, county of Wright, at or near where the sixteenth section line of section 10, townsihp 121 north, of range 23 west, projects into and across the Mississippi River to a point on the north side of the river, in the village of Elk River, county of Sherburne, at or near where the aforesaid line if projected across the river would touch block four in said village, and shall be subject to the free use of the public, under such rules and regulations as may be prescribed by the counties of Sherburne and Wright:

"*Provided*, That the said bridge shall be constructed under and subject to such regulations for the security of navigation as the Secretary of War shall prescribe; and to secure that object the said counties shall submit for his examination and approval a design and drawing of the bridge and a map of the location; and until the location and plan of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction or after completion such change shall be subject to the approval of the Secretary of War.

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

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

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

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

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

On motion of Mr. TAWNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ST. FRANCIS RIVER, MISSOURI.

Mr. VANDIVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12533.

Mr. GROSVENOR. I demand the regular order.

The SPEAKER. The Chair will state to the gentleman from Ohio, if he still demands the regular order, that this bill is a very short one, a bridge bill, for which the gentleman from Missouri asks unanimous consent; and then there is a joint resolution to correct an error in the army bill.

Mr. GROSVENOR. I withdraw my demand for the regular order.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River.

Be it enacted, etc., That the Paragould and Memphis Railroad Company be, and is hereby, authorized to construct and maintain a bridge across St. Francis River at a point about 1 mile north of the State line between the States of Arkansas and Missouri.

SEC. 2. That any bridge constructed under this act shall be built and located under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction or after its completion such change shall be subject to the approval of the Secretary of War.

SEC. 3. That the bridge constructed under this act shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for a postal telegraph across said bridge; and said structure shall be so kept and managed at all times as to afford reasonable and proper means for the passage of vessels through or under said bridge, and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights and other signals as may be prescribed by the Light-House Board; and the said bridge shall be changed or altered at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

SEC. 4. That all railroad companies desiring the use of the bridge constructed under this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case the parties interested shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall, upon the application of either party, be determined by the district court of the United States in and for any district in which any portion of said bridge may be; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

SEC. 5. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this act.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

On motion of Mr. VANDIVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

Mr. HULL. Mr. Speaker, I ask unanimous consent for the present consideration of a bill making an appropriation for national trophy and medals for rifle contests.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15527) making an appropriation for national trophy and medals for rifle contests.

Be it enacted, etc., That for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or organized militia of the several States, Territories, and of the District of Columbia, and for the cost of the trophy, prizes, and medals herein provided for the sum of $2,500 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended for the purposes hereinbefore prescribed under the direction of the Secretary of War.

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

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

On motion of Mr. HULL, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SMITH of Kentucky. Regular order, Mr. Speaker.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 9 o'clock to-night.

The motion was agreed to; and accordingly (at 6 o'clock and 24 minutes p. m.) the House took a recess until 9 o'clock to-night.

The recess having expired, the House was called to order by the Speaker.

CONFERENCE REPORT ON BILL CONTINUING RIVER AND HARBOR IMPROVEMENTS.

Mr. BURTON. Mr. Speaker, I desire to present a conference report with an accompanying statement on the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The SPEAKER. The gentleman from Ohio calls up the following conference report with a request for unanimous consent that the statement be read in lieu of the report. Is there objection? [A pause.] The Chair hears none, and the Clerk will read the statement.

The Clerk read the statement.

[See Senate proceedings of to-day for statement and report.]

Mr. BURTON. Mr. Speaker, I move the adoption of the report.

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

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

The SPEAKER. Will the gentleman from Ohio give the Chair his attention? Does this close this bill?

Mr. BURTON. As far as the House is concerned.

The SPEAKER. Are there other amendments remaining undisposed of?

Mr. BURTON. None whatever; it is a full, complete report.

GRANTING MINNESOTA CERTAIN LANDS FOR FORESTRY PURPOSES.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent for the present consideration of bill S. 4401.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the following Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes.

Be it enacted, etc., That the State of Minnesota, through its State land commissioner and State forestry board, is hereby authorized to select for experimental forestry purposes not to exceed 20,000 acres of vacant public land within said State not heretofore withdrawn or reserved, and as nearly as practicable in one body and from lands which, according to the field notes of the Government surveyors, are third or fourth rate; which lands are hereby granted to said State of Minnesota for forestry purposes: *Provided*, That said selection of lands shall have the approval of the Secretary of the Interior: *And provided further*, That no tract shall be included in this grant which, in the opinion of the Forester of the United States Bureau of Forestry, should form a part of any United States forest reserve.

SEC. 2. That it shall be the duty of the Secretary of the Interior to make accurate lists and plats of all such lands, and transmit the same to the governor of said State, to cause patents to be issued to said State therefor conveying to said State the fee simple of said lands: *Provided*, That this act shall not prejudice any adverse claim to any of said lands.

The amendment recommended by the committee was read, as follows:

Add, at the end of section 2, the words:

"*And provided further*, That the land hereby granted shall be cared for and managed by the State of Minnesota, and shall be used for forestry purposes only; and if the said land or any part thereof shall cease to be so used the said lands or such part shall revert to the United States and become a part of the public domain."

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I object. Mr. Speaker, I wish to say this: I understood this was a bill to which Mr. WILLIAMS of Mississippi objected. He is not present, but I am informed by the gentleman from Minnesota [Mr. LIND] that an amendment has been made that meets his objection. If that is so, I withdraw the objection.

Mr. LIND. I wish to say I am not prepared to say that the amendment would meet his objection; but I will state briefly what the amendment is.

Mr. UNDERWOOD. Well, I do not know anything about the bill, and I think in the absence of the gentleman from Mississippi the bill ought not to come up.

Mr. LIND. He has never objected to this bill; it was another bill.

The SPEAKER. The Chair has no recollection of the submission of this bill.

Mr. UNDERWOOD. Then, if it is not the bill, I will not object.

Mr. BURLESON. Mr. Speaker, I object; I understand it is the same character of bill.

Mr. LIND. It is entirely different, if the gentleman will permit me. This does not grant anything to the State except on the condition that it uses it for forestry purposes. When that use ceases it reverts to the General Government. There are a few isolated tracts of land that have no earthly value except for the purpose of forestry.

Mr. BURLESON. And when that use is abandoned it reverts to the General Government?

Mr. LIND. Yes.

Mr. BURLESON. In the light of that statement, I withdraw the objection.

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

The amendment was agreed to.

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

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendment of the House to the bills of the following titles:

S. 128. An act granting an increase of pension to Clara M. Gihon;

S. 76. An act granting a pension to Mary H. Cornell;

S. 3734. An act granting an increase of pension to Martha W. Cushing; and

S. 3489. An act granting a pension to Annie Colt McCook.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11972. An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

H. R. 4085. An act to amend an act entitled "An act to establish a code of law for the District of Columbia;"

H. R. 3393. An act for the relief of Columbia Brewing Company, of Shenandoah, Pa.;

H. R. 23. An act in relation to pharmacy in the Indian Territory;

H. R. 11337. An act for the relief of G. H. Dearen;

H. R. 10688. An act for the relief of Johann A. Killian;

H. R. 10511. An act for the relief of the estate of Mary Keating;

H. R. 10306. An act to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;

H. R. 10208. An act for the relief of Allegheny College, at Meadville, Pa.;

H. R. 9457. An act for the relief of Alexander S. Rosenthal;

H. R. 8690. An act to amend the law relating to taxation in the District of Columbia;

H. R. 7535. An act for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district;

H. R. 6921. An act for the relief of the estate of Mary P. Gilmore;

H. R. 6493. An act to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

H. J. Res. 102. Joint resolution relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers;

H. R. 14424. An act for the extension of Wyoming avenue to Twenty-third street west;

H. R. 13773. An act to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;

H. R. 13218. An act for the relief of Adolph Weinhold;

H. R. 12533. An act to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Frances River; and

H. R. 12382. An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes.

SALE OF LANDS IN YAKIMA INDIAN RESERVATION.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14468) to authorize the sale and disposition of surplus and unallotted lands in the Yakima Indian Reservation, in the State of Washington, which I shall send to the desk and ask to have read.

The SPEAKER. The gentleman from Washington asks unanimous consent for the present consideration of the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 14468) to authorize the sale and disposition of surplus and unallotted lands of the Yakima Indian Reservation, in the State of Washington.

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, I object.

Mr. JONES of Washington. Mr. Speaker, I will ask the gentleman to reserve his objection until I can make an explanation of the bill.

Mr. SMITH of Kentucky. I will do so.

Mr. JONES of Washington. Mr. Speaker, I will state to the gentleman that this has the unanimous report of the Committee on Indian Affairs and that the bill is recommended by the Department. I have a favorable report here from the Indian Commissioner and also from the Commissioner on Public Lands, approved by the Secretary of the Interior. The bill was examined very carefully by the committee.

This reservation is located about 4 miles from my own town in the center of an irrigated part of the country. The Indians have all received their allotments, and under the conditions of this bill all of the proceeds of the land go to the Indians to be used in the development of the irrigation, in the purchase of farming implements, the erection of schoolhouses, and for their general development and civilization, as the Secretary of Interior may see fit to direct. It is along the line of many of the other bills which have passed the House, and in my judgment is more favorable to the Indian, as well as protecting well the interests of the Government.

Mr. GAINES of Tennessee. Mr. Speaker, I will ask the gentleman what this bill is for.

Mr. JONES of Washington. Mr. Speaker, it is a bill for the disposition of the unallotted lands on the Yakima Indian Reservation, in the State of Washington.

Mr. GAINES of Tennessee. This is a bill to help provide for the better condition of the Indians?

Mr. JONES of Washington. Yes.

Mr. GAINES of Tennessee. Mr. Speaker, I desire to call the attention of the gentleman to the fact that the Senate is holding up the tobacco growers of the South in the matter of legislation for their relief, which we passed here a few days ago——

Mr. JONES of Washington. Well, Mr. Speaker, I will state to the gentleman that I know nothing about that. I will be glad to do all I can to help them.

Mr. GAINES of Tennessee. Here we are legislating for the Indians, while the people down South, whose forefathers helped with their lives and fortunes to frame this Government, and will be forced by the sheriff and mortgagee to give up their homes and farms, all because we have not done our duty here. [Applause on the Democratic side.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell or dispose of unallotted lands embraced in the Yakima Indian Reservation proper, in the State of Washington, set aside and established by treaty with the Yakima Nation of Indians, dated June 8, 1855 (12 Stat., p. 951):

Provided, That the claim of said Indians to the tract of land adjoining their present reservation on the west, excluded by erroneous boundary survey and containing approximately 293,837 acres, according to the findings, after examination, of Mr. E. C. Barnard, topographer of the Geological Survey, approved by the Secretary of the Interior April 7, 1900 (as set forth in H. Doc. No. 621, 59th Cong., 1st sess.), is hereby recognized, and the said tract shall be regarded as a part of the Yakima Indian Reservation for the purposes of this act.

Provided further, That where valid rights have been acquired prior to March 5, 1904, to lands within said tract by bona fide settlers or purchasers under the public-land laws, such rights shall not be abridged, but the United States hereby obligates itself to pay for these lands, for the benefit of the Indians, such sum as may be fixed and determined by the Secretary of the Interior as the fair and reasonable value thereof, exclusive of improvements made by such settlers or purchasers.

SEC. 2. That allotments of land shall be made, under the direction of the Secretary of the Interior, to any Indians entitled thereto, including children now living born since the completion of the existing allotments who have not heretofore received such allotments.

The Secretary of the Interior is also authorized to reserve such lands as he may deem necessary or desirable in connection with the construction of contemplated irrigation systems, or lands crossed by existing irrigation ditches; also lands necessary for agency, school, and religious purposes; also such tract or tracts of grazing and timber lands as may be deemed expedient for the use and benefit of the Indians of said reservation in common.

SEC. 3. That the residue of the lands of said reservation—that is, the lands not allotted and not reserved—shall be classified under the direction of the Secretary of the Interior as irrigable lands, grazing lands, timber lands, mineral lands, or arid lands, and shall be appraised under their appropriate classes by legal subdivisions, with the exception of the mineral lands, which need not be appraised, and the timber on the lands classified as timber lands shall be appraised separately from the land. The basis for the appraisal of the timber shall be the amount of standing merchantable timber thereon, which shall be ascertained and reported.

Upon completion of the classification and appraisements the irrigable, grazing, and arid lands, and the timbered lands upon the completion of the classification, appraisement, and the sale and removal of the timber therefrom, shall be disposed of under the general provisions of the homestead laws of the United States, and shall be opened to settlement and entry at not less than their appraised value by proclamation of the President, which proclamation shall prescribe the manner in which these lands shall be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry:

Provided, That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars and the Philippine insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged:

Provided further, That the price of said lands when entered shall be that fixed by the appraisement or by the President, as herein provided for, which shall be paid in accordance with rules and regulations to be prescribed by the Secretary of the Interior, upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry, and the balance in five equal annual installments, to be paid in one, two, three, four, and five years, respectively, from and after the date of entry.

In case any entryman fails to make the annual payments, or any of them, promptly when due, or within sixty days thereafter, all rights in and to the land covered by his entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for

sale and entry: *And provided further*, That the lands embraced within such cance ed entry shall, after the cancellation of such entry, be subject to entry under the provisions of the homestead law, at the appraised value until otherwise directed by the President, as herein provided.

When the entryman shall have complied with all the requirements and terms of the homestead laws as to settlement and residence and shall have made all the required payments aforesaid, he shall be entitled to a patent for the lands entered: *Provided*, That the entryman shall make his final proofs in accordance with the homestead laws within six years; and that aliens who have declared their intention to become citizens of the United States may become such entrymen, but before making final proof and receiving patent they must have received their full naturalization papers.

Provided further, That the fees and commissions to be paid in connection with such entries and final proofs shall be the same as those now provided by law where the price of the land is $1.25 per acre: *And provided further*, That the Secretary of the Interior may, in his discretion, limit the quantity of irrigable land that may be taken by any entryman to 80 acres, but not to less than that quantity:

And provided further, That when, in the judgment of the President, no more of the said land can be disposed of at the appraised price, he may, by proclamation, to be repeated at his discretion, sell from time to time the remaining lands subject to the provisions of the homestead law, or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned.

The timber on lands classified as timber lands shall be sold at not less than its appraised value, under sealed proposals in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

The lands classified as mineral lands shall be subject to location and disposal under the mineral-land laws of the United States: *Provided*, That lands not classified as mineral may also be located and entered as mineral lands, subject to approval by the Secretary of the Interior and conditioned upon the payment, within one year from the date when located, of the appraised value of the lands per acre fixed prior to the date of such location, but at not less than the price fixed by existing law for mineral lands: *Provided further*, That no such mineral locations shall be permitted on any lands allotted to Indians in severalty or reserved for any purpose as herein authorized.

SEC. 4. That the proceeds arising from the sale and disposition of the lands aforesaid, including the sums paid for mineral lands, exclusive of the customary fees and commissions, shall, after deducting the amounts of the expenses incurred from time to time in connection with the appraisements and sales, be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the Yakima Reservation, and shall be expended for their benefit under the direction of the Secretary of the Interior in the construction, completion, and maintenance of irrigation ditches, purchase of wagons, horses, farm implements, materials for houses, and other necessary and useful articles, as may be deemed best to promote their welfare and aid them in the adoption of civilized pursuits and in improving and building up homes for themselves on their allotments.

Provided, That a portion of the proceeds may be paid to the Indians in cash per capita, share and share alike, if in the opinion of the Secretary of the Interior such payments will further tend to improve the condition and advance the progress of said Indians, but not otherwise.

SEC. 5. That the Secretary of the Interior is hereby authorized, in the cases of entrymen and purchasers of lands now irrigated or that may be hereafter irrigated from systems constructed for the benefit of the Indians, to require such annual proportionate payments to be made as may be just and equitable for the maintenance of said systems:

Provided, That in appraising the value of irrigable lands, such sum per acre as the Secretary of the Interior may deem proper, to be determined as nearly as may be by the total cost of the irrigation system or systems, shall be added as the proportionate share of the cost of placing water on said lands, and when the entryman or purchaser shall have paid in full the appraised value of the land, including the cost of providing water therefor, the Secretary of the Interior shall give to him such evidence of title in writing to a perpetual water right as may be deemed suitable:

Provided, That the Secretary of the Interior shall have power to determine and direct when the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense, under such forms of organization and under such rules and regulations as may be acceptable to him: *Provided also*, That the title to and the management and operation of the reservoirs, and the works necessary for their protection and operation, shall remain in the Government until otherwise provided by Congress.

SEC. 6. That the Secretary of the Interior is hereby vested with full power and authority to make all needful rules and regulations as to manner of sale, notice of same, and other matters incident to the carrying out of the provisions of this act, and with authority to reappraise and reclassify said lands if deemed necessary from time to time, and to continue making sales of the same, in accordance with the provisions of this act, until all of the lands shall have been disposed of.

SEC. 7. That nothing in this act contained shall be construed to bind the United States to find purchasers for any of said lands, it being the purpose of this act merely to have the United States to act as trustee for said Indians in the disposition and sales of said lands and to expend or pay over to them the proceeds derived from the sales as herein provided.

SEC. 8. That to enable the Secretary of the Interior to classify and appraise the aforesaid lands as in this act provided, and to conduct the sales thereof, and to define and mark the boundaries of the western portion of said reservation, including the adjoining tract of 293,837 acres, to which the claim of the Indians is, by this act, recognized, as above set out, and to complete the surveys thereof, the sum of $53,000, or so much thereof as may be necessary, is hereby appropriated from any moneys in the Treasury not otherwise appropriated, the same to be reimbursed from the proceeds of the sales of the aforesaid lands: *Provided*, That when funds shall have been procured from the first sales of the land the Secretary of the Interior may use such portion thereof as may be actually necessary in conducting future sales and otherwise carrying out the provisions of this act.

The Clerk read the following committee amendments:

Strike out words in parentheses in lines 8 and 9, page 1.

Strike out words in parentheses in lines 2, 3, and 4, page 2.

On page 2 strike out all after the word "abridged," in line 10, to and including the word "purchasers," in line 15, and insert the following: "and any claim of said Indians to these lands is hereby declared to be fully compensated for by the expenditure of money heretofore made for their benefit and in the construction of irrigation works on the Yakima Indian Reservation."

After the word "common," in line 2, page 3, insert: "*Provided*, That such reserved lands, or any portion thereof, may be classified, appraised, and disposed of from time to time under the terms and provisions of this act."

In line 18, page 4, strike out the words "within sixty days thereafter."

In line 23, page 6, strike out the words "the amounts of."

In line 9, page 7, strike out the word "up."

Mr. SULZER. Mr. Speaker, I wish to ask the gentleman a question. I would like to know if the Indians are in favor of this bill? Everybody seems to be in favor of these bills to take away the lands of the Indians but the Indians.

Mr. JONES of Washington. Mr. Speaker, I will state to the gentleman from New York that this bill has not been submitted to the Indians. No agreement has been made with these Indians because, for some reason, they have failed to accept any of the offers of the Government. Repeated attempts have been made to secure an agreement with them. From 1896 to 1900 there was a commission which negotiated with these Indians in an endeavor to secure an agreement with them.

The Government made very liberal offers, but they were rejected. There are differences among the Indians there, because of reasons which I do not care to here state, and no agreement could be made with them.

Mr. SULZER. I understand the representatives of the Indians—that is, the Indian chiefs of the Indians on this reservation—have been here and protested against the passage of this bill. Is that so?

Mr. JONES of Washington. No; some of the Indians were down here in reference to a claim for some additional territory to what the Government has heretofore recognized as the boundaries of the reservation.

Mr. SULZER. Then I understand there has been no protest from the Indians filed with the Indian Commissioner?

Mr. JONES of Washington. Not that I know of; and none has been called to my attention.

These Indians came here and wanted a bill introduced to refer their claim to this additional territory to the Court of Claims.

The bill prepared by the Indians could not have passed. It had provisions in it which the Department opposed most violently. The bill now being considered recognizes the very thing that the Indians claim—it recognizes their title to that land. There is no doubt they are entitled to it under the terms of the treaty.

Hence, I say the bill recognizes their claims. It gives them everything they are entitled to without a lawsuit. It gives them their land, but instead of providing for paying them a certain sum of money it provides for the disposition of the lands, all the proceeds going to the Indians.

This bill was framed by me with the intention of fully protecting the Indians in all their rights; and I believe it does this as no other bill has done. I can not conceive of a bill that would be fairer or more just to the Indians. The bill provides that these Indians shall get every cent due them on account of this land.

I believe it is one of the fairest bills for the Indians that has ever been presented in this House. When the Indians understand it I think they will approve it, and it will result in their rapid development and in great growth in this community.

I now propose to yield to the gentleman from Nevada [Mr. VAN DUZER] for eight minutes.

Mr. SULZER. Does the bill provide that the consent of the Indians shall be obtained?

Mr. JONES of Washington. It does not, because of our experience with the Indians in these negotiations that have been had during a period of seven or eight years through commissioners and special agents.

Mr. SULZER. Has this bill been unanimously reported by the committee?

Mr. JONES of Washington. It has been; it was gone over section by section in the committee.

Mr. SULZER. Well, under all the circumstances, I shall not object. Will the gentleman yield to the gentleman from Texas [Mr. GILLESPIE] for two minutes?

Mr. JONES of Washington. I will, after I yield eight minutes to the gentleman from Nevada [Mr. VAN DUZER].

Mr. VAN DUZER. Mr. Speaker, I have examined with considerable care the bill which has been introduced here by the distinguished gentleman from Washington [Mr. JONES], and which is now before the House for consideration, and I wish to say that I am heartily in favor of its passage, relating, as it does, to the opening up to settlement of an Indian reservation, the lands of which will thus become fruitful and productive under the operation of the Newlands national irrigation act.

This bill appeals to me strongly because it involves an addition to the public domain of a large body of land which will hereafter become available for the home seeker who is now looking westward with hope for his future habitation.

This particular bill involves the opening of an Indian reservation in the State of Washington which contains much land that will come under the administration of the reclamation commission provided for by the Newlands Act. The application and effect of this bill is local, but the question of irrigation, to which it relates, is a question now of national importance, and it is upon that subject that I propose to address the House at this time. [Applause.]

The State of Nevada is now opening up great opportunities to home seekers under the beneficent operation of the Newlands national irrigation act, and I propose to say a few words concerning Nevada's development under it.

I have been granted the courtesy of the House on numerous occasions. As a new Member I have had no ambition in the direction of statesmanship, and I have left the discussion of the questions of the tariff, reciprocity, imperialism, and other great questions to men whose years of experience in this House and whose national reputation entitle them and their views to consideration; but when it comes to the subject of the State of Nevada I have no hesitancy in addressing this House, because my long residence in that State certainly entitles me to speak intelligently upon her many resources and with a firm belief in her magnificent future. [Applause.]

Finding that my remarks during the present session of Congress have led Members of the House to believe that the great State of Nevada was nothing but a mining State; that we had but one resource, namely, the mining industry, and that with its exhaustion we would eventually become a worn-out State, I have taken the floor this evening for the purpose of showing to my colleagues in Congress that however great Nevada may be as a mineral State that fifty years hence her reputation will rest more largely upon her agricultural development and growth than upon her mineral production [applause]; and one of the purposes of this speech is to let you know that under the operation of the Newlands Act we have a great future from an agricultural standpoint. [Applause.]

When you call to mind that Nevada is one of the largest States in area in the Union, and that she has numerous valleys containing millions of acres of bench and valley lands, with a soil that is wonderfully fertile, needing only the magic touch of water to make it productive, the mind can hardly grasp the possibilities of the agricultural development of Nevada. Nevada is peculiarly favored in climatic conditions. Montana and Idaho, to the north, every few years are swept by blizzards and shriveled by severe cold waves [laughter] and deep snows, while the State of Wyoming—and I will concede to my friend and colleague [Mr. MONDELL] that he has a great State—yet, as compared with Nevada, Wyoming is a wind-swept and bleak plateau [great laughter], while Arizona and New Mexico, whose admission to the Union as separate States I hope will some day come to pass, are subject not only to severe droughts, but to blisteringly hot winds. [Laughter.]

Nevada possesses a singularly equable climate. Blizzards are unknown, and while it is true that we have a sort of continual drought, mildly speaking [laughter], yet we have in the mountains heavy falls of snow which, yielding to the soft and gentle warmth of spring, send forth to the arid and thirsty plain streams of water which, impounded by the reservoirs soon to be built, will turn the gray sage-covered plains of Nevada into beautiful fields of alfalfa and cereals, dotted with happy homes, every township with a schoolhouse flying the American flag, and, with her churches and villages, making her an ideal agricultural community. [Loud applause.]

In view of the fact that Nevada will be the first State to receive a practical demonstration of the success of this measure, in view of the fact that Nevada will receive more direct benefit possibly than any other of the arid States from the operation of this act, and because we have the honor of claiming the author of this great measure as one of our distinguished citizens, it is my purpose at this time to consider Nevada's development as well as the history of the Newlands national irrigation act.

I shall consider Nevada's future, because from every congested city in the East, where vice, crime, and pauperism are bred [applause], a large population is constantly yearning for the freedom of the West. From the worn-out and debilitated fields and valleys of New England, where agriculture is rapidly becoming a lost art [loud laughter], the New Englanders are seriously thinking of enlarging and widening out their intellectuality and freedom by going beyond the sound of the dear old Atlantic's roar [laughter] and finding out what there is beyond the snow-capped summits of the West—a land that was conquered and given to civilization by their fathers. [Applause.]

I shall take up the history of the Newlands Act, on which Nevada's future depends, because the Republican party showed in the last Congressional campaign, and will more strongly show in the coming national campaign, a disposition to claim the credit for this great act which Mr. NEWLANDS, then Representative and now Senator from Nevada, originated and urged as a nonpartisan measure.

I shall ask at this time the indulgence of the House to print extracts from newspaper articles, from speeches, and any and all data bearing upon either the history of the measure or upon the projects now being carried forward in the State of Nevada under direction of the reclamation service of the Geological Survey. I shall also ask permission to incorporate in my remarks for the benefit of the home seeker, who is particularly making anxious inquiry regarding this work in my State, such information from the reclamation service as will give him some definite idea as to when the project may be sufficiently completed to enable him to take advantage of it, and also statements showing how, when, and where titles to these lands may be secured. But before I proceed to take up these matters, I wish to submit a few additional facts regarding the State of Nevada. [Applause.]

I am happy to perceive that any statement of mine regarding Nevada is at least received with some interest upon the floor of the House; and if I have omitted any fact in her history or industrial development, or if I have omitted to make any prophecy ascribing to her a little more glory and greatness than that claimed by any other State [laughter], I hope that my colleagues will have the kindness to come to me and suggest in what way I may fill up any omissions, because I assure you that any omissions I have made regarding my loyal devotion to my State are omissions not of the heart, but of the head. [Laughter.]

THE ARID WEST.

Under the policy and management of the reclamation service a $3,000,000 project has been inaugurated in the State of Nevada, which means that within the next five years the population of Nevada will be more than doubled. Mr. Newell, the able chief of the reclamation service, has said that within the next thirty years, under the operation of the reclamation commission, the State of Nevada ought to have a population of over 500,000 souls. [Applause.]

I wish to congratulate the House of Representatives; I wish to congratulate the friends of irrigation in general who stood so loyally by the great West in this winning fight for irrigation, upon the successful inauguration of this work under the operations of this act; I wish to congratulate the Democratic party [applause from the Democratic side] upon the carrying into operation of its time-honored policy and doctrine, which is in line with what Jefferson undertook in the Louisiana purchase, what Benton foresaw, what Lewis and Clark opened up, namely, the internal growth and development of our own industrial greatness.

It would be a matter of surprise to the people of the East if they all understood how deeply interested the home seeker and home builder of America is in watching the development of this great enterprise in Nevada, and the other enterprises which are to follow in the States of the West. It is estimated that at the present time there are something like 100,000 families in the eastern cities who are ready to move out in the great and rapidly developing West for the purpose of building up homes, from British Columbia on the north to Mexico on the south, constituting an empire capable of supporting a population equal to that of any European nation. [Applause.]

There are thousands of letters coming into the Land Office from workingmen, farmers, and mining men asking about these reclamation projects. They want to know how to secure the land. They are men who have saved a few dollars and, tiring of the great struggle in the East, want to spend their days in the West, building up a home where they may see the sunshine, experience the surpassing clearness of the air, breathe the pure atmosphere, all of which blessings are denied them in the smoke-clouded and microbe-infested air of the eastern cities. [Laughter.]

I wish to say that before the end of the next twenty years, as a result of the Newlands national irrigation act, which has recently passed Congress, you will have added not only to the industrial wealth of the entire United States millions upon millions of property, but you will have taken a vast number of people from congested cities in the East to find homes upon the broad prairies and arid plains of the West. [Applause.] The land of sage brush. [Laughter and applause.] The land of sunshine and silver [applause], high snow-capped mountains, arid, thirsty plains. The land of precious metals and practical results [laughter], where the eagle skims the sky and the horned toads sun themselves in the burning sands [laughter]—a land of splendid revelations, fascinations, and riches. [Applause.] And when I say that the State of Nevada can raise cotton and tobacco [laughter], and that we can raise oranges, lemons, pomegranates, and tropical fruit [applause], I can in some measure appreciate your loss of education when I know a quarter of century has neglected to enlighten you upon Nevada.

You have been led to believe that we have a few rich mines and a few enthusiastic citizens who believe in the State, but it is a fact that in the southern portion of the State we can harvest a crop of cotton every year. [Applause.] My friends from the South are amused that I should say harvest; I should say pick or gather cotton; but I assure the cotton kings of Dixie that they need not fear that we shall ever be a dangerous competitor in that product. [Laughter.]

My friends facetiously suggest that I have told everything

about Nevada, and I want to say that my story is not half told. [Laughter.] Now, I want to get down to facts and figures and give you a few substantial facts about the State of Nevada to paste in your hats [laughter], and when I have given you this information you will agree with me that I am not too sanguine regarding Nevada's future. [Applause.]

NEVADA'S RECLAMATION PROJECTS.

Nevada is entering upon an era of substantial development, in which she is destined quickly to rise to the full majesty of statehood. It is a development of an enduring character which will insure to the State a steady growth during the years to come, a large increase in rural and urban population, in taxable and wealth-producing property, and new transportation lines crossing and recrossing the State in all directions. This rejuvenation is to take place with the completion of a comprehensive system of irrigation works, the construction of which is now well under way by the Federal Government.

Nevada is the first State to profit by the reclamation act, and several years before other States will be benefited water will be making productive thousands of acres of land in the silver State.

In storage reservoirs located at the headwaters of the rivers which drain the lofty Sierras the melting snows are to be impounded, and through hundreds of miles of broad canals spread over many square miles of Nevada's thirsty desert. Out of the sagebrush desert will rise countless productive farms and populous towns and villages. Conservative estimates place Nevada's population at half a million when the present plans of the Government are worked out. The area comprised in these lands is approximately 3,000,000 acres, or six times the acreage now irrigated in the State. This will make homes for 37,500 families and an addition of more than $150,000,000 to the taxable property of the State. The annual income from these farms will exceed $8,730,000.

Since August, 1903, the engineers have been directing the work of canal construction on the Truckee River below Reno, and many miles of excavation have been made. This canal, which is but an integer of a great system comprehending three rivers—Carson, Truckee, and Walker—takes the flood and excess waters of the Truckee in a southeasterly direction to a reservoir on the lower part of Carson River. Into this reservoir the excess waters of the latter stream are also impounded. Distributing canals radiating from the reservoir will cover several hundred thousand acres near Carson Sink.

During the progress of canal construction the Government engineers have made surveys of the irrigable lands, and are now making examination of the character of the soil. Diamond drilling has been begun at the dam site on the Carson River, and, during the next quarter, it is proposed to complete the examination of the foundation of the lower Carson dam site and the classification of the soil; also to continue the topographic survey of the irrigable land and the location of distributing drainage canals. Prior to their occupancy by settlers, the subdivision of the public lands into farm tracts will be made. It is believed that part of the distributing canals can be commenced during this period, as the plans therefor are about complete.

In order that the engineers may be in constant touch with the work, it is proposed to inaugurate soon a telephone line 75 miles long, extending from Reno to the head of the Truckee Canal, thence along the canal to the lower Carson dam site, and thence along the main distributing canal to a point near Fallon, where a construction camp will be located.

Elsewhere in the State the Government engineers, in cooperation with the State engineer, are making measurements of important streams and gathering facts concerning the location and extent of irrigated lands. These investigations will be continued in order that all the important facts relating to the water supply, reservoir sites, and irrigable lands will be available for future work. An investigation of special importance is proposed on the Truckee to determine the amount of the return of the seepage water entering the river below the irrigated lands in Reno Valley.

A general reconnoissance of Walker River has been made by Engineer Taylor, and several canal lines and reservoir sites have been surveyed. The present plans of the reclamation service contemplate further investigations on this stream, in the valley of which are many thousands of acres of irrigable land. Reservoir sites have been located on Robinson Creek, in Mono County, Cal., on West Walker River, at Alkali Lake, and at Big Meadows, on East Walker River. Canal lines on the Walker and its branches cover large irrigable areas in Mason and Antelope valleys.

On the Humboldt, Nevada's greatest river system, a careful investigation is being made. Two reservoir sites have been selected—one on South Fork, in Elko County, the other on North Fork, above Beaver Creek, in Elko County. The first has a capacity of 113,414 acre-feet, the second 23,026 acre-feet.

The products of the land to be irrigated are fruits, vegetables, cereals, and grasses of the Temperate Zone. As to the productivity of the soil, we have only to visit the oases in the desert at Lovelocks, Humboldt County, or gaze upon the thriving farms in the valleys of the Truckee and Carson rivers, to be convinced that water only is needed to make this region a veritable Garden of Eden.

The construction of great reservoirs impounding floods now going to waste involves features not connected with irrigation, but of relatively vast importance to the State. These immense dams will make available an enormous amount of water power, which can be transmitted electrically over distances aggregating hundreds of miles to other localities, where it can be utilized for many purposes. As these works ultimately become the property of the settlers, this power becomes a most valuable asset, its lease or rental producing an income which will make lighter the burden of canal maintenance. Mines now idle will be opened, manufacturing will increase, and a general development will take place throughout a wide section. Whatever power in excess of that required for pumping purposes is obtainable from the national works may serve for operating railways and electric lighting in the communities which have grown up as the result of the Government work in supplying water to lands previously uninhabited.

The magnitude of the power development possibilities can not be measured at this time, but it does not require prophetic vision to see that this is to become one of the great factors in the development of the arid country.

Within the short period of thirty years the chief engineer of the Geological Survey predicts that we shall have half a million people. This prediction represents the aims of the Government, and that it will be realized even within a shorter period is not doubted by any citizen of this State who knows the productive capacity and the unsurpassed fertility of Nevada's valleys when bountifully supplied with water.

During Nevada's early history men were too busily engaged in securing fortunes out of mining to pay any attention to the slow process of home building. It was a question of building mansions in California and elsewhere. There was a general decline in population. Nineteen hundred has witnessed a revolution in sentiment regarding the State of Nevada. The exhaustion of her mines at Virginia City, Austin, Ely, and Pioche, after having added to the wealth of the world over $1,000,000,000, was supposed to have constituted her whole product as far as mineral was concerned, and she was looked upon as an exhausted mining State, so that the closing ten years of the century just passed constitued a period of despondency in the State of Nevada; but her regeneration has been swift, and rising Phœnix-like from the ashes of her blasted hopes, she suddenly stands revealed to the admiring eyes of the sisterhood of States as rivaling in variety of resources and in possibilities of wealth any of the mountain States.

Three or four years ago there was discovered in and near Reno a mine by an old prospector, a piano tuner, and this property was christened "Wedekind." This mine, discovered practically on the edge of the alfalfa field of the Truckee Meadows, stimulated new prospecting, and following swiftly upon this discovery was the marvelous discovery made at Tonopah, which has opened up one of the greatest modern mining camps of the world, and within the past six months Gold Fields has been discovered, promising to rival Cripple Creek. This has attracted a large population of speculators, investors, and moneyed men. Along with this mining development came the passage of the Newlands national irrigation act through a long series of years of popular education upon this subject conducted by her distinguished Congressman, now Senator, FRANCIS G. NEWLANDS. The result has been a renewed interest in Nevada by homeseekers.

Many home seekers are asking about the lands to come under the operation of this act. They wish to know how locations are to be made; when and where applications will be considered. After the Newlands national irrigation act was passed the Land Office issued the following circular:

Instructions relative to entries on lands withdrawn for the construction of irrigation works for the reclamation of arid lands, etc., in certain States and Territories under act of June 17, 1902.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 9, 1902.

REGISTERS AND RECEIVERS,
United States land offices in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

GENTLEMEN: Your attention is called to the provisions of sections 3 and 4 of the act of Congress approved June 17, 1902 (public, No. 161), entitled: "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands."

A copy of said act is hereto attached.

You will observe that lands withdrawn under the provisions of this act are subject to entry under the provisions of the homestead law only; that entries made on lands so withdrawn are subject to all the provisions, limitations, charges, terms, and conditions of the act; that not less than 40 nor more than 160 acres can be embraced in one entry; that such entries are not subject to the commutation provisions of the homestead law, and that, on the determination of the Secretary of the Interior that the proposed irrigation project is practicable, the entries may be reduced in area to the limit representing the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question, and will become subject to the charges per acre which may be determined upon, to be paid in annual installments not exceeding ten.

You will indorse across the face of each duplicate receipt, and also across the face of each homestead application, the following:

"This entry allowed subject to the provisions of the act of June 17, 1902 (Public—No. 161)."

Each entryman under this act should be advised of the provisions of the same by furnishing him with a copy of this circular.

Very respectfully,

W. A. RICHARDS, *Acting Commissioner.*

Approved.

THOS. RYAN, *Acting Secretary.*

Since the publication of this circular by the Land Office the rapidity with which the work is being completed has enabled the reclamation service to prepare maps as to the exact location of lands to be irrigated, and giving somewhat definite information as to when these titles can be secured and the general policy to be pursued by the Department in the allotment of lands under this act.

For information I shall insert here the full text of the

NEWLANDS NATIONAL IRRIGATION ACT.

[PUBLIC—No. 161.]

An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

Be it enacted, etc., That all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, beginning with the fiscal year ending June 30, 1901, including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the 5 per cent of the proceeds of the sales of public lands in the above States set aside by law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury to be known as the "reclamation fund," to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the said States and Territories, and for the payment of all other expenditures provided for in this act: *Provided*, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session as to the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also the cost of works in process of construction as well as of those which have been completed.

SEC. 3. That the Secretary of the Interior shall, before giving the public notice provided for in section 4 of this act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this act, and shall restore to public entry any of the lands so withdrawn when, in his judgment, such lands are not required for the purposes of this act; and the Secretary of the Interior is hereby authorized, at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to withdraw from entry, except under the homestead laws, any public lands believed to be susceptible of irrigation from said works: *Provided*, That all lands entered and entries made under the homestead laws within areas so withdrawn during such withdrawal shall be subject to all the provisions, limitations, charges, terms, and conditions of this act; that said surveys shall be prosecuted diligently to completion, and upon the completion thereof, and of the necessary maps, plans, and estimates of cost, the Secretary of the Interior shall determine whether or not said project is practicable and advisable, and if determined to be impracticable or unadvisable he shall thereupon restore said lands to entry; that public lands which it is proposed to irrigate by means of any contemplated works shall be subject to entry only under the provisions of the homestead laws in tracts of not less than 40 nor more than 160 acres, and shall be subject to the limitations, charges, terms, and conditions herein provided: *Provided*, That the commutation provisions of the homestead laws shall not apply to entries made under this act.

SEC. 4. That upon the determination by the Secretary of the Interior that any irrigation project is practicable he may cause to be let contracts for the construction of the same in such portions or sections as it may be practicable to construct and complete as parts of the whole project, providing the necessary funds for such portions or sections are available in the reclamation fund; and thereupon he shall give public notice of the lands irrigable under such project and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon the said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments, not exceeding ten, in which such charges shall be paid and the time when such payments shall commence. The said charges shall be determined with a view of returning to the reclamation fund the estimated cost of construction of the project, and shall be apportioned equitably: *Provided*, That in all construction work eight hours shall constitute a day's work, and no Mongolian labor shall be employed thereon.

SEC. 5. That the entryman upon lands to be irrigated by such works shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay to the Government the charges apportioned against such tract, as provided in section 4. No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner, and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land, and no such right shall permanently attach until all payments therefor are made. The annual installments shall be paid to the receiver of the local land office of the district in which the land is situated, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys already paid thereon. All moneys received from the above sources shall be paid into the reclamation fund. Registers and receivers shall be allowed the usual commissions on all moneys paid for lands entered under this act.

SEC. 6. That the Secretary of the Interior is hereby authorized and directed to use the reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of this act: *Provided*, That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior: *Provided*, That the title to and the management and operation of the reservoirs and the works necessary for their protection and operation shall remain in the Government until otherwise provided by Congress.

SEC. 7. That where in carrying out the provisions of this act it becomes necessary to acquire any rights or property, the Secretary of the Interior is hereby authorized to acquire the same for the United States by purchase or by condemnation under judicial process, and to pay from the reclamation fund the sums which may be needed for that purpose, and it shall be the duty of the Attorney-General of the United States upon every application of the Secretary of the Interior, under this act, to cause proceedings to be commenced for condemnation within thirty days from the receipt of the application at the Department of Justice.

SEC. 8. That nothing in this act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof: *Provided*, That the right to the use of water acquired under the provisions of this act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right.

SEC. 9. That it is hereby declared to be the duty of the Secretary of the Interior in carrying out the provisions of this act, so far as the same may be practicable and subject to the existence of feasible irrigation projects, to expend the major portion of the funds arising from the sale of public lands within each State and Territory hereinbefore named for the benefit of arid and semiarid lands within the limits of such State or Territory: *Provided*, That the Secretary may temporarily use such portion of said funds for the benefit of arid or semiarid lands in any particular State or Territory hereinbefore named as he may deem advisable, but when so used the excess shall be restored to the fund as soon as practicable, to the end that ultimately, and in any event within each ten-year period after the passage of this act, the expenditures for the benefit of the said States and Territories shall be equalized according to the proportions and subject to the conditions as to practicability and feasibility aforesaid.

SEC. 10. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Approved, June 17, 1902.

Under the provisions of this act about $18,000,000 has been collected in the reclamation fund from the sale of public lands, and the enormous receipts from this source of late indicate that the fund will soon reach $30,000,000, and as the fund is a constantly revolving fund, the expenditure on the projects being restored to the fund by the sale of water rights, it is probable that within twenty years that $150,000,000 will be spent under this act in irrigation projects. Under this act already five or six large enterprises have been inaugurated, the first in time in the State of Nevada, the others in Arizona, Colorado, Wyoming, and Montana.

In Nevada the national work has been greatly aided by a Nevada statute, intended to secure the State cooperation in the national work. This bill was drawn by Mr. NEWLANDS in cooperation with the irrigation committees of the Nevada legislature, and was declared by President Roosevelt, upon the occasion of his recent visit to Nevada, to be a model of legislation for the other States.

A NONPARTISAN WORK.

All irrigation work is being conducted by the reclamation service of the Geological Survey. This bureau has always been a scientific bureau nonpartisan in character. That President Roosevelt or any other President will maintain it as such I have no doubt. But in the campaign of 1902 the Republican newspapers and the Republican stump speakers all endeavored to make it appear that the irrigation act was a party measure, and its administration would be so conducted as to prefer the projects of Republican States and to discriminate against the projects of Democratic States.

The action of President Roosevelt has given the lie to this, and I imagine no one would be more indignant than he with the declarations of the Republican newspapers and politicians of Nevada and other arid States who are constantly doing him the injustice to infer that he will pervert the action of a scientific and nonpartisan bureau to the punishment of a State which fails to give him its Presidential votes.

It is as yet difficult to say when the Nevada project will be completed. Maps are being prepared showing the tracts, and they are being subdivided into 20, 40, 80, and 160 acre tracts for home seekers. When the reservoirs are completed and laterals for the distribution of water started the Government will then make public information as to location. The land must be resided on by settlers. A great many home seekers have taken advantage of the work, and either as laborers or contractors have taken up land adjacent to the canals and have bored wells to get a domestic supply of water. This enables many men to sustain themselves while the development work is being prosecuted. The intending settler may as well understand now as at any time that no agent, colonization bureau, or any person representing himself as having authority to locate and designating land has any authority or inside information. The Government alone can give accurate information. Anyone who places money in the hands of men who advertise will likely find themselves located upon worthless desert land miles from water.

A NOTE OF WARNING.

In this connection, Mr. F. H. Newell sounded a timely note of warning. The agricultural possibilities of the West being largely stimulated by the passage of the Newlands national irrigation act has caused a large number of financial buzzards, who have been feasting off of fake mining enterprises, to turn their attention to the above possibilities of the West. I have hitherto commented on the notorious and corrupt methods of the men engaged in getting money from the pockets of the people in the East through mining fakes, and it has developed that since the passage of this act, owing to the large number of people in the East who are endeavoring to secure homes, that a number of cleverly worded and yet vague advertisements are appearing in the newspapers of this country intimating that certain parties, who have secured inside information by being on the ground, are prepared to locate intending home seekers upon ground which will come under the direct benefit of the reservoirs and canal systems to be carried out by the Government.

It is in some cases boldly stated that the parties who can secure these locations have much inside information of the plans of the draftsmen connected with the department. These advertisements, sometimes almost as boldly worded as mining advertisements, simply show that for $5, $10, or $25, and in some cases $50, land will be picked out and held open for settlers. The result is that the farmer or home seeker in the East, desiring to take advantage of the agricultural growth of the West, sends his money into the hands of these financial sharks, who have neither authority nor accurate information regarding these matters, and having received the money, proceed to locate the inquiring settlers upon lands in a large number of cases miles from irrigation enterprises.

The statement herewith submitted by Mr. Newell ought to be a note of warning to intending purchasers of land throughout the United States, and is a warning for them that no one has knowledge or authority to locate them, and that the only safe way will be for them to proceed through Government channels of the reclamation commission and the Land Office, which will in the future, as hitherto, control the location and final entry of all lands owned and controlled by the Government.

The reclamation service has sent the following press bulletin out for general circulation:

GOVERNMENT ISSUES WARNING TO HOME SEEKERS.

An organized band of swindlers is actively at work in several Western States, notably Utah, North and South Dakota, and also operating to a lesser extent in the East. These sharpers have selected as easy victims prospective home seekers who are greatly interested in the various reclamation projects undertaken by the Government.

By means of advertisements cleverly worded, in which they claim to have secured inside information regarding the plans of the engineers, and by the display of alleged copies of Government maps and surveys, they have been successful in duping many unwary home seekers. For a consideration of from $50 to $200 these swindlers guarantee to locate settlers upon the best irrigable lands under the Government works.

Notwithstanding that the Government some time ago issued a circular warning the people against being taken in by just such frauds, the swindling goes right along, and the sharks are reaping a rich harvest. It should be clearly understood that these sharpers have no inside information. Their maps are mere township plats or rough drafts, such as can be obtained from the Land Office. The swindlers have no data other than any intending settler can obtain upon request of the Department.

The lands under these Government projects are withdrawn from all entry excepting homestead before any actual work of construction is ordered, and the Secretary is by law required to outline the size and location of each farm. Until the plans are completed for construction and the contract has been let for the works, it is impossible to state with any degree of accuracy what the cost of the water will be or what lands will be irrigated. Settlers who make filings based on the information received from these swindlers will not only lose the money paid out, but are liable later to find the lands are not included in the Government's proposed system, and thus will have exhausted their homestead entry upon worthless land. When the proper time comes for throwing open to homestead entry the lands under these great irrigation projects, the Secretary of the Interior will give due notice through the public press. Until such announcement it will not be safe for settlers to locate upon these lands.

THE IRRIGATION MOVEMENT.

Over fourteen years ago Mr. NEWLANDS, realizing Nevada's development had been one-sided, being confined almost entirely to mining, and that an equal and harmonious development was required on the lines of agriculture, commerce, and manufacturing, as well as mining, started an agitation for the irrigation development of the State. He employed at a large expense and from his private means engineers and surveying parties to report upon the irrigation and storage possibilities of the four principal rivers of Nevada—the Truckee, Walker, Carson, and Humboldt. He also caused to be located storage reservoirs and canal lines where necessary for the purposes of irrigation, asserting that his work was not intended for private profit but with a view to its utilization in the public interest, either by the State or by the local authorities.

Later on, when the suppression of the silver-mining industry caused such a financial depression in Nevada as to make a State or local enterprise impossible, having been elected to Congress, he inaugurated a series of educational speeches upon irrigation in the House of Representatives, intended to familiarize the men from the humid States with the great question upon which the development of one-third of our country depended, and to gradually bring about national action resulting in the conservation of the flood waters caused by the melting snows and their application to the public lands within their reach, and the promotion in this way of the settlement of the West by the creation of homes for home builders.

No opportunity was lost, in season or out of season, to impress the importance of this question upon Congress, and the work in Congress was supplemented by newspaper interviews, by communications to our magazines and periodicals, by irrigation banquets, at which Cabinet officers, scientists, Senators, and Congressmen presented their views upon this question. In this work he had the able cooperation of western Senators and Representatives without regard to party; and although there was much difference amongst western Senators and Representatives as to what form national action should take—whether of cession of public lands to the States, or of aid to the States in the storage of water, or of storage and conservation simply by the National Government, leaving to the States and to local enterprise the construction of irrigation ditches and the distribution of water, or whether it should take the form of a complete naturalization of irrigation by the General Government—they finally, after a long period of discussion among themselves, acquiesced in the principles of the bill known as the "Newlands bill," which was first introduced by him in the House of Representatives in the Fifty-sixth Congress, before Mr. Roosevelt became President.

At a meeting of the western Senators and Representatives Senator HANSBROUGH was requested to introduce Mr. NEWLANDS's bill in the Senate, and from that time on the matter was vigorously prosecuted by Mr. NEWLANDS and Senator HANSBROUGH before the Senate and House committees of the Fifty-sixth Congress and favorable reports were secured covering the essential principles of this bill, which was generally known as the "Newlands bill" or the "Hansbrough-Newlands bill." This smoothed the way for the final passage in the Fifty-seventh Congress, after Mr. Roosevelt succeeded to the Presidency, of the bill now on the statute books almost identical in terms with the original bill introduced by Mr. NEWLANDS.

Under this bill the first project was commenced in Nevada. It embraces both the Carson and the Truckee rivers, and the work so auspiciously commenced will be supplemented by work on the Walker and Humboldt rivers.

NONPARTISAN ACTION.

Throughout this propaganda it was the effort of Mr. NEWLANDS and the western men generally to secure nonpartisan action upon irrigation measures, for it was clear that only in this way could an irrigation act be passed.

Democrats and Republicans alike joined in this educational propaganda to which I have referred, and while the Nevada and Colorada Representatives, Messrs. NEWLANDS, SHAFROTH, and BELL, differed from the Wyoming Representatives as to the method of national action or cooperation, and while there was strong contention between western men among themselves, some siding with Wyoming in its view as to State cession, the engineers bill and other bills contracting the area of national operation while enlarging the area of State operation, and others cooperating with NEWLANDS, SHAFROTH, and BELL as to the nationalizing of the whole scheme of arid-land reclamation, they kept their differences to themselves, and finally, after thoroughly thrashing the matter out in meetings of the western Senators and Representatives from the arid and semiarid States, the Wyoming Representatives yielded to the views entertained by NEWLANDS, HANSBROUGH, SHAFROTH, BELL, and others as to the thorough

nationalization of arid-land reclamation and cordially cooperated in the passage of the bill.

THE REPUBLICAN PARTY'S CLAIM.

Now, the Republican party claims this measure as a partisan measure. In the Republican campaign book of 1902 the Republican party refers to the party plank adopted by its national convention in 1900 recommending national legislation for the reclamation of arid lands, but says nothing about a similar plank in the Democratic platform. The Republican party, also, in this campaign book endeavors to show that President Roosevelt's influence secured the passage of the act and, also, quotes liberally the wise and statesmanlike provision of the act as evidences of Republican policy, and throughout the West during the last campaign the Republican party relied upon the passage of this act as its claim to the suffrages of the West. Nothing was said about its being framed by a Democrat. Nothing was said about the participation of Democrats in its passage. It was claimed everywhere as a Republican measure.

It is the same old policy of the Republican party, claiming everything good under the sun and disclaiming responsibility for everything baneful; claiming all the benefits which accrue from prosperity and ascribing all the evils of adversity to the Democratic party. When the sun shines, it is Republican sunshine; when the sun is darkened, it is by Democratic clouds; when the rain falls, it is Republican rain; when drought occurs in the land, it is from Democratic hot winds. The Republicans cause the fields to smile with verdure and waving grain. But the Democrats can produce nothing but blizzards and woe; when prosperity comes it is Republican prosperity, and when hard times come it is Democratic misfortune, and since they have so long and so persistently claimed credit for everything that turns out to be good, the people have allowed themselves time and again to be fooled by their specious plea; but in this particular case, involving as this measure does so much for the industrial development of the West, and so much for the political supremacy of one or the other of the parties, the evidence which has been placed before the people of the country impartially and as nearly in line with historical accuracy as the means of data and record can afford, demonstrates that the Republican party falls far short of establishing its claim.

THE FATHER OF THE MEASURE.

Now, what are the principal provisions of the irrigation act?

First. A reclamation fund in the Treasury, consisting of all moneys received from the disposal of public lands in sixteen arid and semiarid States and Territories.

Second. Investigation and report as to irrigation projects by the Interior Department through the Geological Survey.

Third. After the approval of such projects by the Secretary of the Interior construction to commence under contracts made by him. No contract to be made unless the money necessary for the completion of the project is available in the reclamation fund.

Fourth. Compensation to the fund of the actual cost of each project by the sale of water rights, to be made in a series of installments running over ten years.

Fifth. The holding of the public lands for actual settlers under the homestead act, holdings to be limited to small areas, sufficient for the support of a family; no commutation.

Sixth. Sale of water rights to private land holders, but not for more than 160 acres, thus discouraging land monopoly and promoting the breaking up of large tracts.

Seventh. The ultimate control of irrigation works, except reservoirs, by the settlers under a system of home rule. This plan will enable the West to reclaim itself without calling upon the taxpayers of the country. It entirely relieves the irrigation agitation of the charge that it is intended to tax the East for the improvement of the West. The Government simply puts its Government lands in condition for settlement by storing and making available the flood waters which are essential for reclamation.

Did Mr. Roosevelt originate this measure? No; he simply approved in his message the principles of a measure already introduced in the Fifty-sixth Congress, before he became President, and the principles of which had been practically indorsed by the western Senators and Representatives, by the Public Lands Committee of the Senate, the Public Lands Committee of the House, and by the Irrigation Committee of the House in the previous session.

That bill was framed by Mr. NEWLANDS. It is not my purpose to detract from the credit deservedly due to Mr. Roosevelt for his advocacy of national irrigation and for his friendliness for western interests, for which he has received deserved praise. What I object to is the attempt of Republican managers to claim the credit of originating a measure which was framed by a Democrat and whose main support came from Democrats and not Republicans, as I shall hereafter show.

The history of this bill can not be better shown than by the words of Mr. NEWLANDS, the author of the bill, upon the floor of the House in the great irrigation debate of 1902, without contradiction from anyone, then or since, in which he gives the history of the bill and the nonpartisan character of its support. He said:

Now, I contend, Mr. Speaker, that this is a nonpartisan measure; that it is in harmony with the platforms of all parties in the last campaign; that it is in harmony with the enlightened sentiment of the country, which has gradually been formulating itself upon this subject and which found its expression in the party platforms.

It is also in harmony with the opinion of the Senators and Representatives from the arid and semiarid States and Territories regardless of politics. Every Senator and every Representative from that great region has supported this measure.

Now, the gentleman insists that we have been driven by the President into this report of a Republican measure. Let me give the gentleman the history of this measure. For years the arid States have been insisting upon some action by the Federal Government in reference to the arid public lands, composing as they do in some States 95 per cent of their entire area, and they have been insisting that it is the duty of the Government to prepare these lands for settlement, so that the States in which they are located may become populated.

They urged for a long time the cession of these lands to the States. But Congress, regarding this great public domain as a public trust, not to be lightly turned over to sparsely settled States to be managed according to the judgment or lack of judgment, the discretion or indiscretion, the honesty or dishonesty, the providence or improvidence of State legislatures, regarding it as a heritage for the entire Union, to be preserved for our unborn millions, has refused in its wisdom a cession to the States. So, at last, after the subject had been debated in and out of Congress for twenty years or more, the two parties in 1896 met in their respective conventions and formulated their expression on this subject, almost identical in terms—certainly identical in spirit.

Both parties declared in favor of the reclamation of these arid lands by the National Government and the holding of such lands for actual settlers, and in so declaring they but followed the general sentiment of the country, which was against any abandonment of its trust by the National Government and its surrender to the States.

As soon as that campaign was over I sought to shape a measure which would be in harmony with the two platforms and in harmony with the general sentiment of the country. At the last session of Congress, and before Mr. Roosevelt came into power, I introduced a bill which was the result of careful study of legislation prior to that time, and of consultation with the Secretary of the Interior, the Secretary of Agriculture, the Director of Geological Survey, the chief hydrographer of the Survey, the chairman of the National Irrigation Association, and other well-informed and experienced men on this subject.

Its purpose was to present a settlement of the entire question, to relieve the Treasury of the United States of any burden, and simply to devote the proceeds of the sales of lands in the arid regions to the conservation of flood waters, so as to make the waters available for settlers who would do the actual work of reclamation. The purpose was to present a comprehensive plan, which would impose no burden on the taxpayers of the country, which would enable the West to reclaim itself, and which would preserve this vast domain for home builders, and save it from concentrated and monopolistic holdings.

And if the gentleman will examine that bill—introduced in Congress before Mr. Roosevelt became President—he will find that it is identical in its provisions, though differing somewhat in phraseology, with the bill which is now before us for consideration. That bill, after its introduction, was presented to a meeting of western men, regardless of party—Democrats and Republicans and Populists—and received their approval, and they requested Senator HANSBROUGH, chairman of the Senate Committee on Public Lands, to introduce it in the Senate.

This was all in the short session of the last Congress, and there was not sufficient time to obtain consideration of the measure. Later on, after Mr. Roosevelt came into power, he made a recommendation in his message to this Congress substantially in line with the bill of which I have spoken. Shortly after this the Senators and Representatives from thirteen States and three Territories, constituting the arid region, met together and appointed a committee of seventeen, regardless of party, to frame and present for their approval an irrigation measure.

They met, and after prolonged meetings, lasting over a month, they agreed upon a bill, which was later on approved at a general meeting of the Senators and Representatives from the arid and semiarid States, regardless of party; and these Senators and Representatives instructed Senator HANSBROUGH, a Republican, to introduce it in the Senate, and myself, a Democrat, to introduce it in the House, thus securing nonpartisan action. It was referred to the committees of the Senate and House and was reported favorably.

It passed in the Senate by a unanimous vote, and then President Roosevelt, who is entirely familiar with that region and knows its wants, invited in consultation some members of the Irrigation Committee of the House, regardless of party. He was somewhat in doubt as to whether the bill was sufficiently guarded in the interest of homeseekers.

It was a question simply of construction We all wanted to preserve that domain in small tracts for actual settlers and home builders. We all wanted to prevent monopoly and concentration of ownership, and the result was that certain changes were made absolutely satisfactory both to the Executive and to the Irrigation Committee, and intended only to carry out the intentions of both.

And let me say to the gentleman from Indiana, lest he charge that our action was the result of Executive dictation, that these changes were absolutely in harmony with the original bill, which I had introduced before Mr. Roosevelt succeeded to the Presidency, and with the platform of both parties.

Now, the gentleman refers to the Congressional campaign committee of the Democratic party as having assumed a jurisdiction that did not belong to it. Who pretends that the Democratic Congressional committee has a right to bind the conscience and mind of any member of its party on this floor?

But when the Democratic members from the entire region affected, and all the Democratic members of the Irrigation Committee of the House, and the Democratic members of the Committee on Rules were in favor of this measure as one in harmony with the party pledge in the national platform, it was the privilege and right of the Democratic Congressional campaign committee to express its views on the subject, and it did so, without a dissenting voice, in the following words:

"Whereas the Democratic platform of 1900 declared as follows:

"'We favor an intelligent system of improving the arid lands of the West, storing the waters for the purpose of irrigation, and the holding of such lands for actual settlers': Now, therefore,

"*Resolved by the Democratic Congressional committee*, That we regard the pending bill for the irrigation of the arid lands of the West, which devotes the proceeds of the sales of public lands in the arid and semiarid States and Territories to the construction of storage and irrigation works, and makes each project self-compensatory by fixing the cost on the lands to be reclaimed,

to be repaid by the settlers in ten annual installments, and also reserves the land so reclaimed for actual settlers and home builders, as complying with the pledge contained in the national Democratic platform, and we therefore favor the passage of said bill as a needed step in the line of domestic development."

I do not pretend for a moment that the action of the Democratic Congressional committee is binding upon any Member of this House; but I do say that it is a persuasive utterance, indicating the opinion of Democrats upon this floor and engaged in important party work regarding a measure which has received the sanction of every Democratic member of the Committee on Irrigation and which will, I believe, receive the almost unanimous support of this side of the House.

That the irrigation bill as finally passed in June, 1902, during the Fifty-seventh Congress, was identical in its terms with the bill originally introduced by Mr. NEWLANDS in the Fifty-sixth Congress, is shown by comparing the statement made by Mr. NEWLANDS January 30, 1901, during the Fifty-sixth Congress, concerning the provisions of the bill which he had shortly before introduced, on page 1701, volume 34, part 2 of the CONGRESSIONAL RECORD, with the exposition of the bill as finally enacted made by Mr. NEWLANDS on the 18th of September, 1903, at the National Irrigation Congress, Ogden, Utah, in an address entitled "State cooperation in national irrigation," which is published as an appendix to Mr. NEWLANDS's remarks on land reform on page 3848, volume 7, of the CONGRESSIONAL RECORD, Fifty-eighth Congress, second session.

It should be recollected that the first statement was made long before Mr. Roosevelt became President. I shall publish these statements in succession, as indicating how exactly Mr. NEWLANDS's views as to a comprehensive automatic irrigation law were crystallized into a law which will, without further legislation, actually accomplish the reclamation of the entire West, under which $18,000,000 is already accumulated in the reclamation fund and under which through the revolving fund provided for by him at least $150,000,000 will be expended during the next twenty years.

[Remarks by Mr. NEWLANDS in reply to Mr. Moody, January 31, 1901, before Mr. Roosevelt became President, page 1701, CONGRESSIONAL RECORD, volume 34, part 2, second session Fifty-sixth Congress.]

Mr. NEWLANDS. Another plan, presented by a bill which I have introduced, absolutely relieves the Federal Treasury of any demand for appropriations. It provides that all the moneys coming from the sales of public lands in the arid or semiarid States shall go into and form a special fund in the Treasury, to be called the "arid-land reclamation fund," commencing with the proceeds of sales during the present fiscal year.

It then provides that the Secretary of the Interior, with the aid and assistance of the Geological Survey, shall make plans and estimates for the construction of storage reservoirs and hydraulic works, which estimate shall include the area that can be irrigated by them; that when the plan for a particular project is perfected and adopted by the Interior Department as feasible, the lands included in the reservoir sites and essential for the hydraulic work shall be withdrawn from general entry, and also that the public lands embraced within the area of the benefit of this particular storage system, subject to reclamation from it, shall also be withdrawn from general entry, and shall only be subject to entry under the act.

The act then provides that contracts for the work shall be let either for the whole or part, and that no contracts shall be let unless money sufficient for payment is then in the arid-land reclamation fund; that when the project is completed the entire cost shall be ascertained and fixed pro rata upon the acreage benefited, and that the lands may be entered under the homestead law in tracts not exceeding 80 acres, and that water rights shall be sold at a price compensatory, when all the land is entered and the water rights are sold, of the amount expended upon the storage system. The water right is to be paid in ten equal annual installments by the settler.

The bill also provides that no man shall be entitled to enter more than 80 acres, and that a less amount may be prescribed by the Secretary of the Interior, according to the character of the land—its richness, fertility, and adaptability to certain forms of intense cultivation. It provides also that if there is more water than is required for the public lands, and there are lands within reach in private occupancy subject to this reclamation scheme, that the occupants of these lands can secure water rights at the same price as that paid by the settler, payable also in ten annual installments, with a provision also that no occupant of private lands can secure a water right for more than 80 acres.

The purpose of the bill is to prevent the monopoly of land in the settlement of public lands, and also to prevent these great tracts of land now under private ownership from obtaining water rights from the Government which will encourage monopolistic holdings. It inaugurates the policy which will make it to the interest of the holders of large tracts to divide them up into small farms of 80 acres, in order that the purchasers may avail themselves of the act and secure water rights. It does not compel the settlement of these large tracts, which have been secured under improvident laws, but it makes it to the interest of their owner to divide them up. The aim of the act is to prevent monopoly of every form, to open up the public domain to actual settlers who desire homes, and to disintegrate the monopolistic holdings of land that prevail on the Pacific coast and in the intermountain region.

[Remarks of Mr. NEWLANDS at the Irrigation Congress, at Ogden, Utah, September, 18, 1903, after the bill became a law.]

STATE COOPERATION IN NATIONAL IRRIGATION.

MR. PRESIDENT AND GENTLEMEN OF THE ELEVENTH NATIONAL IRRIGATION CONGRESS: It gives me great pleasure to attend a meeting of the irrigation congress in the State of Utah. Eleven years ago, in common with many whose faces I see about me, I attended the first session of the irrigation congress in the Territory of Utah; and we there received the inspiration which through ten years of temporary discouragement and continuous effort sustained us, until we finally placed upon the statute book of the United States an act not simply providing an appropriation for an individual project, the whole force and strength of the movement to be stayed until the success of that project was demonstrated, but a general and comprehensive law operating through all time, so long as an acre of land capable of irrigation remained unreclaimed; providing an ample fund for the present and the future, depending in the future upon none of the accidents of legislation or caprice of public policy—a statute which had as its essential spirit and motive home-building, limitation of entry to the amount of land necessary for and capable of supporting a family, and the protection of every irrigation project against the schemes of speculation and monopoly.

It is fitting, therefore, as the first irrigation congress was held in the State which, under the guidance of Brigham Young, gave to the country an illustration of the beneficial effects of irrigation, that this congress, called together after the passage of that triumphant act, should meet here for the purpose of deliberation and counsel as to the best method of carrying it into effect and of securing its comprehensive and beneficent administration. That the Government of the United States, representing the entire people, has done everything that statute can do to forward this great work is evident by a review of its provisions. It provides a perpetual reclamat on fund in the Treasury, derived from the sale of public lands in thirteen States and three Territories. These receipts are forever dedicated to irrigation. The receipts of this year, of next year, of all the future years, are appropriated now to the construction of irrigation works. We have the unit of entry fixed at the number of acres capable of supporting a family—from 40 to 160, according to the discretion of the Secretary of the Interior. We have provided that only those can obtain title who live upon the land for five years and reclaim the land. The commutation clause of the homestead act, which has been the means of fraud in the securing of land titles throughout this entire region, is repealed, so far as the lands coming under this act are concerned; and residence for five years—honest work for five years—is required as the condition of title. Thus this work is dedicated forever to the home builders.

Then as to the water rights. The Government stores the water, accumulates it in vast reservoirs, leads it out from the reservoirs in great ditches, brings it within the reach of the settler, and then grants him a water right, payable in ten years without interest, in annual installments of one-tenth each. Then the Government for all time will administer these great reservoirs, surrendering, however, final control of individual projects to a government of home rule, created by the settlers themselves, with the approval of the Secretary of the Interior. The existing landowner, also, is not neglected. The sentiment which at first prevailed that this act should be applied only to Government lands was overcome, and we have a provision, ample and comprehensive in its character, which permits the Interior Department to grant water rights as to land now in private ownership.

But even there it secures the country against the evils of concentration of land in single ownership and of land monopoly; for instead of selling the large landowner a water right covering his entire tract, the act provides that the right can be granted for 160 acres only. But whilst the large landowner can secure a water right for only 160 acres, he can divide his tract into 160-acre farms, and each grantee can buy from the Government a water right, payable in ten annual installments, and thus large tracts of land in private ownership to-day, lacking the water sufficient to give them value, and for that reason lacking a market, will be brought into the market. The owners will be able to dispose of them by subdivision into 160-acre farms, for the Government stands behind ready to sell each grantee of the large landowner a right for water which will be perpetually appurtenant to his farm. We have given those who now own large tracts of land and are land poor a chance to realize money for land, and at the same time we have created, in this very act, by these provisions appealing to the self-interest of these large land proprietors, the machinery that will force and compel the subdivision of these great areas of land now standing in single ownership and constituting a menace to the development of our States and Territories.

The National Government has done everything. The National Government stands as the benefactor. We stand as the beneficiaries, present and prospective. What can we, the beneficiaries, do, then, to sustain and support the Government in its great work? This involves the question of State cooperation in national irrigation. I take it that it is the sense of every man in this Congress that no means should be neglected of securing the friendly aid of the Government in each State and Territory. I take it for granted that the spirit of cooperation exists everywhere. The only question is, How can that spirit be shown and demonstrated? Let me say a few words upon that subject and give you from time to time illustrations derived from the experience of my own State.

It will be observed that Mr. NEWLANDS, at the Fifty-sixth Congress, whilst Mr. Roosevelt was Vice-President, gave a full exposition of his bill, identical in terms with his exposition at the Irrigation Congress in 1903 of the act as finally passed. It will be noted that his first exposition was prior to the elevation of Mr. Roosevelt to the Presidency. Mr. NEWLANDS had wrought out his bill, which later on, in the next Congress, was crystalized into law.

NATIONALIZATION OF IRRIGATION.

A careful examination of the data herewith submitted shows that the central ideas of the bill were the ideas gradually evolved by Mr. NEWLANDS. Whilst a great impetus was given this measure by President Roosevelt's indorsement of its principle, the perfection of this measure is due to Mr. NEWLANDS. It took ten years of agitation. There were two theories regarding irrigation which developed toward the closing years of the agitation. A large number of men believed that the Government should cede all the lands to the States or should store water as a national enterprise. This was largely known as the Wyoming idea.

The constant endeavor of Mr. NEWLANDS was to nationalize irrigation and his persistent work upon these lines finally perfected the bill, and time has demonstrated that there was only one measure which could ever have accomplished the results sought for, and that was the bill introduced by Mr. NEWLANDS; and as conference after conference of western Members took place, and as different ideas were advanced by different men from different States, and after long days of fruitful discussion, the western Senators and Members slowly came to the conclusion that the only practicable solution was along the lines of the bill as presented by Mr. NEWLANDS.

Not only was Mr. NEWLANDS very active in the constructive feature of the bill, but he became a strong proselyting agent upon the floor of Congress, and while there was some slight opposition from the Democratic party, he was constantly alert with his colleagues, and in the end brought them to his views.

Mr. NEWLANDS secured the indorsement of the Democratic Congressional committee, and in the final passage of the bill only thirteen Democrats voted against it. On the other hand, it ap-

pears from the analysis of the vote that President Roosevelt was not so potent an influence with the Republican party, because the final debate and analysis of the vote shows that every Republican leader of importance assailed the bill and voted against it, and had it not been for the work of Mr. NEWLANDS in securing sufficient Democratic votes to insure its passage it would have failed because of Republican opposition.

I have had the honor of succeeding Congressman NEWLANDS in the lower House of Congress, and my association in the House of Representatives has been made exceedingly pleasant because of the strong personality of Mr. NEWLANDS, who, I found, stood exceedingly high; and for the purpose of clearing up the historical data regarding this bill I have made careful inquiry among my colleagues, and I find there is no question or doubt ever raised, or any dispute made, regarding the authorship of the irrigation bill as belonging to Mr. NEWLANDS. During the long years of agitation on the question Mr. NEWLANDS became a recognized leader. He was generally known as the most prominent advocate of irrigation in the House, and the bill, when it was finally passed, was known throughout the country as "the Newlands irrigation bill," and was so designated.

The Republican leaders, whose respect and confidence Mr. NEWLANDS always had, have been as strong in their assertion regarding him as the Democrats, and I found upon the floor of Congress that all Members unite in acknowledging that the bill was the product of the persistency, ability, and work of Mr. NEWLANDS, and that its final passage was largely due to his active and persistent agitation; and while for partisan and political purposes the bill has been held forth to the world at this late day as a measure emanating from the Republican party, and its paternity fixed upon President Roosevelt, yet the historical facts stand uncontroverted and undenied, that it was the ability, the persistency, and the statesmanship of FRANCIS G. NEWLANDS, Member of Congress from the State of Nevada during ten years, which shaped the destiny of the bill to its final passage.

Thomas Jefferson gave to America the Louisiana purchase; Lewis and Clark opened the wonders of the Northwest. Jefferson gave to America an empire; FRANCIS G. NEWLANDS gave to America the key that unlocked that empire. When a century has passed, and the slow evolution of this bill shall have been accomplished, and when all the enterprises contemplated by wisdom and knowledge shall have been perfected, the population of the arid States will be as great as that of the Union to-day, and identified with the history and upbuilding and the growth of the great arid regions will be the name of NEWLANDS, to whose genius and ability future generations will pay reverence, just as to-day we honor Thomas Jefferson for having added to our country a vast empire, contiguous and continental, which would become the home of a homogeneous and liberty-loving people.

THE PRESS.

The newspaper correspondents of the country and the press associations of the country record with absolute accuracy contemporaneous history, and if we refer to the press reports of the Fifty-sixth and Fifty-seventh Congresses we will find everywhere, without variance or contradiction, the various stages of progress of the Newlands bill.

I quote a few of these expressions taken from my scrapbook after the passage of the bill. They constitute but part of a large number of clippings recognizing Mr. NEWLANDS's authorship and persistent agitation of this measure, which may well be regarded as the most important measure relating to internal improvement passed during the last half century.

[From the San Francisco Examiner.]

WE CONGRATULATE CONGRESSMAN NEWLANDS.

The Examiner wishes to congratulate Congressman NEWLANDS on the splendid work he has done in passing the irrigation bill. Congressman Newlands was backed up in this measure by the united Democratic party, and was successful through the kindly aid of the western Republicans, who, with the Democrats, presented a united front against the Republican leaders and the Republicans of the Eastern States, who have no interest in irrigation.

In congratulating Congressman NEWLANDS on the passage of this great measure the Examiner desires to testify to the tireless energy and splendid diplomacy he has shown in the management of his bill. For years Congressman NEWLANDS's home in Washington has been turned into a huge picture gallery, hung around with maps and surveys to use in demonstrating the great importance of irrigating the western half of the United States. He has spent days and nights in demonstrating to the Representatives from the Middle West the value and importance of the work of bringing water to the arid lands of the United States, and that he has succeeded in interesting others in the affairs of the intermountain region and the Pacific coast is no small tribute to his perseverance.

It would be a good thing for California if we had a few Representatives and Senators of the NEWLANDS type. Though a rich man, his sympathies are all with the common people. His aims are all for the public good, and he has only valued personal political advancement in the ratio that it has enabled him to help the great mass of the honest working people of the United States.

[From Harpers Weekly, July 5, 1902.]

There is some reason to believe that the unexpected strength which the irrigation bill displayed in Congress in its final stages was due to the particularly glowing picture which the happily named Representative from Nevada presented to the national imagination in his great speech in favor of the measure.

[From the Scientific American, June 23, 1902.]

According to Mr. NEWLANDS, the Representative from Nevada, who has promoted the legislation of the subject, this bill is very complete and comprehensive in its scope and automatic (so to speak) in its plan of action.

[From the Cincinnati Enquirer, July 13, 1902.]

It remained for Representative NEWLANDS to devise the plan which finally obtained Congressional sanction and which is now a law. He has been in Congress for ten years, and in season and out has persistently agitated the question of irrigation, believing that the public mind must be educated upon this great question before legislation could be had.

[From the Review of Reviews, July, 1902.]

Mr. NEWLANDS, of Nevada, one of the most prominent advocates, predicts that under the provisions of the bill at least $100,000,000 of the proceeds of the public lands will be available in the next thirty years for irrigation works without further appropriation.

[From the Los Angeles (Cal.) Capital, August 30, 1902.]

His work in Congress, not only for his constituency, but for the entire Pacific coast, has won for him the admiration and gratitude of all political factions, and he stands a remarkable example of the untrammeled Representative. He is ready to do what he may for the good of the West, dictated solely by the circumstances of legislation and his own judgment, which has as yet never proven to be faulty.

[From the San Francisco Examiner, August 28, 1902.]

The election of Mr. NEWLANDS will be gratifying from a Democratic point of view, but beyond that it should be highly satisfactory to the Pacific and intermountain States generally, aside from mere partisan considerations. His record in the House of Representatives has been an enviable one. His standing has at all times been excellent, and as a member of the Committee of Foreign Affairs, Banking and Currency, and Ways and Means he has made a reputation broadly national in character. He was a strong factor in the legislation which led to the annexation of Hawaii, and has been active and prominent in all measures relating to Cuba, opposing the Republican plan of reciprocity, but favoring the annexation of the islands. He is, of course, in full sympathy with his people on the money question, and he rendered most effective aid in securing the enactment of the irrigation law, from which the arid West hopes to realize far-reaching benefits. Mr. NEWLANDS has been indefatigable in his efforts in behalf of his State, and having served faithfully for nearly ten years in the lower House it would seem that he would fairly earn a promotion to the Senate.

[From the Bulletin, San Francisco, August 27, 1902.]

A man of large ideas, NEWLANDS's measures and efforts are of national influence, and his country, as well as Nevada, may well be proud of his statesmanship. California and other sections of the country will benefit largely by the passage of the irrigation bill, which contains a section aimed at the protection of American labor.

[From the Denver (Colo.) Republican, September 14, 1902.]

With photographs as his chief ally, but using a magic lantern as his supplementary aid, FRANCIS G. NEWLANDS, Representative in Congress from Nevada, has succeeded in causing his long-pending irrigation bill to become a law. It has remained for Mr. NEWLANDS to discover an entirely unique method of using photographs and the magic lantern.

[From Leslie's Weekly, March 19, 1903.]

THE FATHER OF IRRIGATION.

The irrigation bill for the reclamation of the vast arid tracts west of the Mississippi, which so recently became a law, was named for him in recognition of his extreme labor, both in its framing and in securing its passage through Congress.

[From the Washington Post, June 29, 1902.]

CREDIT TO NEWLANDS.

The man who is largely responsible for the passage of this bill is Representative NEWLANDS, who has fought for its passage for many years, and too much can not be said in praise of his efforts.

[From the Washington Times, July 6, 1902.]

Probably no measure so far-reaching in importance as regards the development of this country has been enacted in recent years as the Newlands irrigation bill. So persistent has the Nevada Representative been in urging irrigation that the cartoonists have pictured him with a sprinkling pot, as they do Senator TILLMAN with his pitchfork.

[From the Washington Post.]

NEWLANDS PLEASED.

The President yesterday signed the irrigation bill. There was much rejoicing among the members of the Senate and the House over the fact. Mr. NEWLANDS, the author of the measure and the originator of the plan, was especially jubilant.

[Correspondence San Francisco Chronicle, June 1, 1902.]

IRRIGATION BILL SIGNED.

Another hope of the great West, which two weeks ago a Republican in the House characterized as an irridescent dream, was realized to-day when President Roosevelt attached his signature to the national irrigation bill. Representative MONDELL, of Wyoming, secured the pen with which the bill was signed, though it ought to have gone to NEWLANDS, of Nevada, the real father of the irrigation bill.

It appears, then, that the measure was introduced before Mr. Roosevelt became President; that it was framed and introduced in the House by a Democrat—Mr. NEWLANDS; that it was subsequently indorsed by western Senators and Representatives, and

at their request was introduced in the Senate by Senator HANSBROUGH, a Republican; that its essential principles were indorsed by the committees of both Houses before Mr. Roosevelt became President; that after his succession the western Senators and Representatives again considered the measure, and when it was finally perfected a resolution was passed by the western Senators and Representatives, requesting Mr. NEWLANDS, a Democrat, to introduce the revised bill in the House, and Senator HANSBROUGH, a Republican, in the Senate; that the Democratic Congressional Committee by a unanimous vote indorsed the bill and recommended its passage. All this before the final passage.

THE FINAL PASSAGE.

Now, how was it on the final passage? Did the House leaders of the Republican party yield to the President's views or did they hold out as they had always held out during the many years of agitation? Of course in the Senate the action was thoroughly nonpartisan and the vote for the bill was unanimous. Republicans and Democrats alike voted for it. This arose from the fact that one-third of the Senate was from the arid and semiarid States, and for years the Senators from the West had been engaged in educational work there, but in the House it was different. The arid and semiarid States had very few Representatives.

There had not been a time in the past ten years when an irrigation bill could not have passed in the Senate, but the House was the stumbling-block. The Republican leaders of the House had for years stood like a stone wall against it. They were for any form of foreign exploitation taking the shape of colonialism or imperialism. They stood for the annexation of insular possessions, but they were unwilling to annex the arid West and to aid in any plan of internal improvement which would aid the masses of the people. Was the President, through his message and otherwise, able to persuade them? Were they willing to have their Congressional campaign committee indorse an irrigation measure as did the Democrats? Oh, no! Every Democratic leader supported the bill. Every Republican leader spoke and voted against it. Mr. PAYNE, the chairman of the Committee on Ways and Means, and the leader of the House; Mr. DALZELL, of the Committee on Rules; Mr. CANNON, then the chairman of the Committee on Appropriations; Mr. RAY, the chairman of the Committee on Judiciary; Mr. GROSVENOR, and Mr. HEPBURN, all of them constituting the Republican leadership of the House of Representatives, aided by other strong and forceful Republican debaters, opposed the bill vigorously, and in some cases bitterly.

Mr. HEPBURN of Iowa, always forceful, came boldly out into the open, saying:

> Mr. Chairman, if I were not one of the most humble and polite men in this House, I would take the liberty of saying that the proposition involved in this bill is the most insolent attempt at larceny that I have ever seen embodied in a legislative proposition.

General GROSVENOR, among other things, said:

> If this scheme can be carried into execution, I would not give 5 cents on the dollar ten years hence for all the beet-sugar stock this side of the Missouri River. What is the evidence that has been taken this year before the Committee on Ways and Means? Why, sir, the evidence is that the beet-sugar men of Utah, California, and Colorado can manufacture beet sugar almost a cent a pound cheaper than can be done without the application of irrigation.

Mr. GROSVENOR spoke of this bill as proposing "a great national wrong" to be perpetrated on the farming community of the entire United States and as involving a competition that would "crush the farming industry of the entire great Central West and East." He quoted freely from Republican papers of the East and Central West, protesting against its passage.

The above extracts sufficiently indicate the attitude of the Republican party upon this bill, and yet we find the Republicans, after the measure had passed the House solely by the aid of Democratic votes, declaring that it was a great supporter and advocate of the policy of the bill, the wise provisions of which are now being appreciated by both parties, and a strong claimant for the exclusive credit of this accomplishment. We find that while the Republican leaders bitterly opposed the passage of the bill, the Republican party is now claiming the entire glory for the final enactment of this bill into law simply because the President favored it.

The analysis of the vote in the House shows that outside of a few broadminded eastern Republicans who supported the bill the main Republican support came from the West, including such men as REEDER, of Kansas, and MONDELL, of Wyoming, who vigorously supported the bill.

The really unanswerable argument to support the contention which I make that the Republican party is not to be credited with the passage of the irrigation bill is the figures which are developed from a careful analysis of the vote by which the bill finally passed.

The analysis shows the vote, as follows:

VOTE ON IRRIGATION BILL, JUNE 13, 1902.

For the bill in the House.

Republicans—Adams, Allen of Maine, Bartholdt, Bishop, Boutell, Bowersock, Bristow, Brown, Brownlow, Burke, Burkett, Burleigh, Calderhead, Conner, Coombs, Cromer, Curtis, Cushman, Dahle, Eddy, Esch, Fletcher, Gaines of West Virginia, Gibson, Graff, Henry of Connecticut, Hitt, Holliday, Hopkins, Hugues, Hull, Irwin, Jack, Jones, Joy, Kahn, Lawrence, Littauer, Long, McLachlan, Mann, Martin, Mercer, Metcalf, Minor, Moody of Oregon, Mondell, Morris, Moss, Needham, Reeder, Reeves, Roberts, Rumple, Scott, Skiles, Smith of Iowa, Smith of Illinois, Sperry, Stevens of Minnesota, Sutherland, Tawney, Tayler of Ohio, Thomas of Iowa, Tirrell, Tongue, Warner, Woods, Young—69.

Democrats—Allen of Kentucky, Ball of Texas, Bell, Bellamy, Bowie, Brantley, Breazeale, Brundidge, Burgess, Burleson, Burnett, Candler, Clark, Clayton, Cochran, Cooney, Cowherd, Davis, De Armond, Dinsmore, Dougherty, Finley, Fox, Gilbert, Griffith, Griggs, Henry of Mississippi, Hooker, Howard, Jackson of Kansas, Jett, Johnson, Kehoe, Kern, Kitchin, Livingston, Lloyd, McCulloch, McRae, Mickey, Newlands, Norton, Padgett, Pierce, Randell, Ransdell, Reid, Richardson of Tennessee, Richardson of Alabama, Robb, Robinson of Nebraska, Rucker, Ryan, Selby, Shafroth, Shackleford, Shallenberger, Sims, Slayden, Smith of Kentucky, Spight, Stephens, Taylor of Alabama, Thayer, Thomas of North Carolina, Thompson, Underwood, Vandiver, Wheeler, Wiley, Williams of Illinois, Williams of Mississippi, Zenor—73.

Silver—Edwards—1.

Populists—Glenn, Neville, Stark—3.

Adverse vote in House:

Republicans—Barney, Bates, Bingham, Brick, Bromwell, Burk, Butler, Cannon, Capron, Cassel, Crumpacker, Dalzell, Deemer, Draper, Driscoll, Gardner, W., Gardner, J. J., Gillet, Haskins, Hemenway, Hepburn, Howell, Knapp, Kyle, Landis, Lewis, Mahon, Olmsted, Palmer, Parker, Payne, Perkins, Ray, Showalter, Sibley, Southard, Southwick, Steele, Stewart, Van Voorhis, Warnock—41.

Democrats—Bartlett of Georgia, Cassingham of Ohio, Fleming of Georgia, Flood, Gillett of Massachusetts, Hay of Virginia, Jones of Virginia, Maddox of Georgia, Moon of Tennessee, Pou of North Carolina, Rhea of Kentucky, Rixey of Virginia, Robinson of Indiana, Snook of Ohio—14.

FOR.

Democrats	73
Silver	1
Populists	3
Republicans	69
Total	146

AGAINST.

Democrats	14
Republicans	41
Total	55

It will be seen that seventy-three Democrats, one Silver man, and three Populists voted for the bill, making seventy-seven votes in all of these three parties, and that sixty-nine Republicans voted for the bill. We find further that a large percentage of these Republicans were from the West, the section particularly affected by the provisions of the bill. An analysis of the vote shows that the bill could never have passed by Republican votes. In opposition to the bill we find only fourteen Democrats, and yet there are forty-one Republicans against it.

It is with some hesitancy that I have injected the political question into this discussion at this time, as this question should be nonpartisan. The administration of this bill is in the hands of a scientific department of the Government thoroughly nonpartisan, in the hands of men whose well-known ability and integrity entitle them to the support and respect of all political parties—the present Secretary of the Interior and his subordinates, the Director of the Geological Survey, Mr. Walcott, and the chief of the reclamation service, Mr. Newell. The passage of this bill by the action of both parties marked a new era in the industrial development of America which the people of this age hardly appreciate, and I should not refer to politics were it not for the contention of the Republican party that they are entitled to the credit for the passage of the Newlands national irrigation act.

REPUBLICAN LARCENY.

This is about as bold a piece of political larceny as was ever attempted in any political campaign in the history of this country, and yet with a blare of trumpets and with sounding brass the Republicans will go through the West, as they did in the last campaign, telling the farmers that it was the Republican party that originally conceived the proposition of irrigation, that it was the Republican party that breathed life into the measure, that Republican votes passed it through Congress, and that it was a Republican President who signed the bill.

I of course have no desire to differ with the latter statement. I wish to do President Roosevelt all honor for his stand on this question, but I simply wish to call the attention of the thinking American people to the fact that the Republican President would never have had the opportunity to sign the bill if its passage depended upon Republican votes, and that its passage was secured by Democratic votes.

The Republican party, always ready to claim the glory of the makers of legislation and the benefits which come from it after its passage has been accomplished, has always been negligent and neglectful of interests of the West. Its leaders have placed themselves in violent opposition to the interest of the Western States upon the question of mining and crippled a great industry. They placed themselves in violent opposition to the passage of the irrigation act, yet both these measures were supported by the Democratic party. The interest and the hope as well as the strength of the Republican party in the future, as in the past, lies in the manufacturing centers and the trust-protected regions of

the United States. But the money which came to the public Treasury from the sales of public lands has been used in expenses for exploiting these regions of the United States; and when it was discovered that this channel of revenue was about to be diverted back to the great region from which it came, for purposes of internal improvement, there was a howl of opposition.

It is timely to call attention to these historical facts regarding irrigation at this stage of our history, when the two great political parties have widely differed in reference to the policy of expansion. Within the past eight or ten years, following the results of the unexpected Spanish-American war and the taking possession of the Philippine Islands by the Government of the United States, there has grown up a new policy, advocated by the Republican party and known as "expansion."

The question of expansion has always been one of more or less importance in American politics. We have, through expansion, grown from thirteen colonies, which fringed the Atlantic coast, to our present magnificent proportions. This expansion has been a continental expansion—internal expansion—an expansion which believes in utilizing our own resources, building up our own domain, and adding to the happiness, contentment, and prosperity of the people within the legitimate boundaries of American territory; an expansion which possibly Thomas Jefferson might have viewed as legitimately including British North America, so that one flag should fly from the Bering Sea on the north to the Gulf of Mexico on the south.

The true expansion in this country has been the continental expansion of the Democratic party, dating from the Administration of Thomas Jefferson. All the great additions to our territory have been acquired by diplomacy or conquest (except in the case of Alaska) under the inspiration and administration of Democrats. So that when the question of the development and of the building up of the great western empire was first presented to the people of this country the Democrats readily took up the proposition, because it was old-time Democratic doctrine.

The policy of the Republican party for the past ten years has been that our growth should be in the nature of development on the outside. The demand which has been put upon the Treasury of the United States through increased military armament and enlarged naval equipment, and the demands upon this country from the Philippine Islands, and incidentally from Cuba, asking for preferentials, have occupied the time and attention of the Republican party and drained the proceeds of taxation in this country, showing that the tendency of the Republican party has been to deny anything in the way of appropriations for internal development for the purpose of keeping up the outward show.

The problem presented in the industrial development of what is known as the great arid region that extends from British Columbia to Mexico and from the Missouri Valley to the shores of the Pacific, exhibits features of an industrial conquest greater than that ever undertaken by any civilized nation, both as to geographical extent and economic magnitude; that section of the country contains everything in the way of climate and agricultural products practically to be found in all other zones. In raw materials there is no section in the world that presents an equal opportunity.

The present sparse population of the entire arid region is due to the fact that the enterprises looking particularly to the agricultural development of that section could not be successfully undertaken by private enterprise, and it became apparent, if the great agricultural interests of the West were ever to subserve the general benefit of the people of the United States, that the Government must stand behind irrigation with some comprehensive plan and avoid the uncertainties and the failures which would follow from private undertakings and an accidental development.

The Democratic leaders readily recognized that the problems involved in the industrial development of western America meant a great future for the upbuilding of America and much for her supremacy as a commercial nation and more for the happiness and contentment of the American people than any benefit which might flow from the expenditure of vast sums of money in subjugating the islands of the Pacific. The irrigation problem brought out the contrast between the two parties into strong relief. The Republican party preferred monopoly. Their policy for years has been to enrich the few at the expense of the many. This particular act was aimed at monopoly. It was designed for the home seekers, the home builders, the masses, and intended to secure an equitable distribution of wealth. This was historic Democratic policy. The Republican party preferred foreign conquest, vast colonial expenditure, and neglect of internal development. The Democratic doctrine was internal improvement, building up and fostering American home building. The Republican leaders therefore naturally opposed the Newlands bill, while the Democratic party indorsed and supported it.

Such has been the disposition of the Republican party in reference to the Newlands national irrigation act. Yet we find by a fair and impartial study of the political attitude of the two parties that, while both of the great national conventions indorsed the ideas of national irrigation, the Republican party, true to its traditional policy, and particularly in reference to this policy toward the West, when the final test came, absolutely repudiated the plank in their platform, if we are to take the leadership in Congress as any criterion as to the party stand upon public questions. The sincerity of the two parties was demonstrated upon their platform planks. The Democratic party, standing by their party utterances, supported the policy. The Republicans repudiated their platform.

On the other hand, the Democratic party took the strong stand that it was better Americanism to expend the money of the Government in building up our own country than in building up other countries; that it was better Americanism to create happy homes and build up a large agricultural population, contributing directly to the taxation and power of our Government at home, than to maintain by indirect taxation of the people extensive establishments abroad. Foreign graves rather than American homes has been the fatal policy of Republican imperialism. Fortunes for the few and special privileges has been the Republican policy as contrasted with the happiness of the masses and special privileges to none, the watchword to modern Democracy.

These facts ought to fix beyond all dispute the political paternity of the bill. And the people of the West can look with hope of warmest support for the future development of this work to the Democratic party. The entire opposition to the irrigation measure has not yet died out. It is practically admitted by everybody in the East now that the measure is going to be one of vast benefit, but there is heard ever and anon a discordant note, and it is always sounded from the Republican side.

This great legislative enactment, one of the most important acts ever passed by a civilized legislative body, will go down in history as one of the far-reaching and consequential accomplishments of statesmanship, redeeming to civilization a region marvelously rich in raw materials and undeveloped resources. One hundred years hence the valleys of the West will be as populous and as beautiful as those of the Euphrates and the Tigris. Agricultural development in humid regions has never reached the great advancement and perfection which was reached by the historic nations of antiquity. The populous regions of the earth were the rich valleys of southern Asia.

The arid West resembles more nearly the Valley of the Nile and the valleys of southern Asia than any other territory in the world, and we may look in time to a duplication in population on the broad expanse of these unwatered plains of the dense population of the Ancient World, a more marked advance in the growth of civil institutions, greater comfort of living, a higher wage system, emancipation from the industrial slavery, and a higher general culture, a swifter advancing in the arts and sciences, and the substituting of the moral for the commercial ideals in life.

The great theaters of events in the past were the arid regions of Europe, Asia, and Africa. Facing, as our arid region does, the very portals of eastern life, the arid region of America is destined to be the theater of human energy of the future, where scientific discoveries yet undreamed-of and a civilization yet in embryo may surpass the sum of all human advancement since the dawn of history.

This is the region of future hope. NEWLANDS foresaw it, just as Jefferson looked forward to it a century ago. Two Democrats standing at the milestones of a century and representing the binding links between the old Democracy and the new Democracy—a Democracy ever watchful of America's development and ever ambitious for America's supremacy. [Loud applause.]

Mr. JONES of Washington. Mr. Speaker, I yield to the gentleman from Texas [Mr. GILLESPIE].

Mr. GILLESPIE. Mr. Speaker, Mr. HILL of Connecticut, in his speech of January 21, 1904, on the floor of this House, uses this language:

> It will continue (meaning the overgrowth of our industries) to hurt until this country grows up to the capacity of the manufacturing industries of the country by a natural and normal growth.

And yet we are told that our manufacturing industries need protection in order to their full development, when here is the candid true admission by one of the ablest exponents on this floor of the high protective policy that our manufacturing industries are overgrown, that there is too much capital invested in them, and that they produce already more than our people can consume.

It is clearly the purpose, through the instrumentality of the tariff, as expressed in the Dingley rates and combinations and trusts, to force the American consumers to sustain, not an infant industry, not the weak struggling concerns lacking in capital and development; but the overdeveloped, the overgrown, and the overcapitalized manufacturing concerns of the nation by fixing an artificial and arbitrary price upon their products, wholly out of proportion to the world price for said products.

What is the condition of the manufacturing industries of this

country as shown by the census of 1900? Upon examination of that census, we find there were about ten billion dollars invested in manufactures, $404,000,000 paid in salaries, and $2,322,333,877 paid in wages. The cost of material was over seven billion dollars and the value of products something over thirteen billion dollars. The average number of employees was 5,308,406.

In the year 1880 the capital invested in our manufacturing industries was $2,790,272,606; in 1890 the capital invested was $6,525,156,486, while in 1900 the capital invested was $9,817,484,799, the increase from 1880 to 1890 being 133 per cent, and the increase from 1890 to 1900 50 per cent.

Do our manufacturers need the high protection afforded them in the Dingley rates? Let us see how they stand, naked and alone, unsupported by any tariff duties whatever. I call your attention again to the Twelfth Census report, concerning our manufactures. In volume 7 of said report on manufactures, page 56, occurs the following statement:

MANUFACTURING ADVANTAGES OF THE UNITED STATES.

The rapid rise of the United States to the first position among manufacturing nations is attributable to certain distinct causes, natural and otherwise, five of which may be definitely formulated as follows:

1. Agricultural resources.
2. Mineral resources.
3. Highly developed transportation facilities.
4. Freedom of trade between States and Territories.
5. Freedom from inherited and overconservative ideas.

A study of these causes affords an explanation of the great development of manufacturing in the United States in the past, as well as an indication of its possibilities in the future.

In discussing agricultural resources, the following statement is made:

Both food supplies and agricultural materials for manufacture are cheaper, more abundant, and more varied in the United States than in any other manufacturing country.

Under the head of mineral resources, the following statement is made:

The United States produces nearly every mineral required for manufacturing industries. In most of these the supplies appear to be sufficient for years to come, and are obtainable at prices which compare favorably with prices in other parts of the world.

Coal, the basis of modern manufactures, exists in great abundance, and the fields are so widely distributed throughout the country as to afford easy transportation, by rail or water, to the chief distributing points and manufacturing centers. * * * Reference should be made also to the extensive supplies of natural gas, a fuel which is utilized chiefly in manufacturing. * * * The coal production of the United States is now larger than that of any other country, having passed the production of Great Britain for the first time in 1899. * * * A supply of iron ore is equally important to the manufacturing development of a country.

Tables are given showing that the United States led all other nations of the earth in the production of iron ore in 1899. Table 8 shows that the United States produced more copper in 1899 than any other country in the world.

On transportation facilities the following statement is made:

Over 18,000 miles of navigable rivers not only facilitate transportation directly but cause competition with railroads, and thus make possible the cheap marketing of products. The coastwise trade of the United States exceeds that of any other country. It includes steamship lines to and from New York, Boston, Philadelphia, Baltimore, and other points, and between several of these cities and Charleston, Richmond, Savannah, Jacksonville, New Orleans, Galveston, and other southern ports.

In recent years navigation on the Great Lakes has become a most important factor in the internal traffic of the country. These lakes, with the Sault Ste. Marie and Canadian canals around the rapids of St. Marys River, the St. Clair River, the Detroit River, and the Welland Canal, allow unbroken navigation between Duluth and the eastern end of Lake Ontario, a distance of 1,000 miles.

The development of the freight traffic over this route has been so great during the past decade that in 1899 it had become the greatest internal waterway in the world, having a ton mileagee qual to nearly 40 per cent of that of the entire railroad system of the United States. In 1899 more than five times as many vessels passed through the United States and Canadian canals at Sault Ste. Marie as through the Suez Canal. In the value of manufactured products the eight States which touch the waterways of the Lake system rank first, second, third, fifth, eighth, ninth, tenth, and thirteenth, the aggregate value of products being over seven billion dollars, or 57 per cent of the total of the United States. This route thus borders upon the great manufacturing belt of this country. At its head are situated the most extensive mines of iron and copper and the largest hard-wood forests in North America. The average cost of transportation on the Great Lakes is about six-tenths of a mill per ton mile.

In discussing the railroad facilities of the United States, the same authority says:

In 1899 the total mileage of the United States was 189,295 miles, as against 172,621 in Europe, constituting 39.4 per cent of the entire railroad system of the world. * * * The railroad systems of the United States are so highly organized and so efficiently managed that the transportation of freight by rail is cheaper than in any other country.

On the subject of interstate commerce, the same authority says:

These exceptional transportation facilities are utilized in the interchange of products between States and Territories covering an area of 2,970,230 square miles of land surface, possessing a population of 75,994,575, and not separated by any commercial barrier. The mainland of the United States is the largest area in the civilized world which is thus unrestricted by customs, excises, or national prejudice, and its population possesses, because of its great collective wealth, a larger consuming capacity than that of any other nation.

Statements of this character are confirmed by the statistics of 1900, which show that the value of agricultural products was $4,739,118,752, of manufactured products $13,004,400,143, and of mining products $1,067,605,587, a total of $18,811,124,482, which was all consumed at home, except the sum of $1,370,763,571, representing the value of all articles of domestic merchandise exported in the year 1900.

Under the head of Freedom from Tradition, the same authority says:

Another advantage which has contributed to the rapid development of manufactures in the United States is the comparative freedom from inherited and overconservative ideas. This country entered upon its industrial development unfettered by the old order of things and with a tendency on the part of the people to seek the best and quickest way to accomplish every object.

* * * * * * *

In the United States the tendency of the artisan class to abandon the slow hand processes has been as strong as the tendency elsewhere has been to adhere to them. Moreover, there has developed among the laboring classes in the United States a mobility such as is unknown elsewhere in the world. This has made it possible to attract to any point in the country the skilled labor required to develop any branch of industry.

* * * * * * *

Nevertheless, there can be no complete understanding of the remarkable development of the United States during the nineteenth century unless all these things are taken into consideration. More particularly is this true in respect to use of tools, machinery, and labor-saving devices of all kinds. It is the judgment of foreign commentators upon American development that in the adaptation of machinery to all branches of industry, this country displays a facility greater than is shown anywhere else; that the number and variety of labor-saving machines employed here is larger than in any other manufacturing country; and that in many industries the subdivision of labor has reached a minuteness and a degree of perfection not elsewhere equaled.

This authority puts before the mind a strong outline of the natural advantages possessed by the manufacturers of this country. Think of it! The unrivaled free-trade area of these States, our immense stores of raw material, coming from the farms, ranches, and mines of our people; the easy means of transportation along our unsurpassed rivers, lake, ocean, and gulf coasts; our two hundred thousand mile system of railways; and add to these the highest and most important factor of all, an intelligent, industrious, and progressive laboring class having no prejudice against the use of machinery!

America's laboring man stands ready to discard everything that shackles his progress or the progress of his country, and is willing to take hold of the most improved appliances, the latest inventions, and whatever agencies are placed within his grasp to make this country of ours move on in grander strides!

I ask the great body of consumers of this country, and address my question to each man, woman, and child who has to pay a tax to the manufacturer, Is the plea just, is it right, is it patriotic, for the protected baron, in the face of all these advantages, to stand up and put forth the pitiful plea that his industries need for their support this heavy tax drawn from the pockets of honest toil by the Dingley rates?

Look at what our manufacturers have accomplished along individual lines. I refer again to the Twelfth Census Report. Take the manufacture of carpets. The report says:

[Twelfth Census Report, Vol. 7, Manufactures.]

CARPETS.

Beyond question the United States is the greatest carpet-manufacturing nation. Eighty million square yards of carpet were manufactured in 1900, valued at $48,192,351.

HOSIERY AND KNIT GOODS.

In this industry, also, the United States is outstripping the rest of the world. More machine-knit goods, both underwear and hosiery, are turned out annually in this country than in all other countries combined. (Page 147.)

The value of the products of the hosiery and knit-goods mills in the census year was $95,482,566, an increase of 42 per cent since 1890.

SILK.

The United States has, in fifty years, become the chief silk manufacturing nation in the world, with the possible exception of France. (Page 148.)

IRON AND STEEL MANUFACTURES.

In these mills have occurred the most marked advances in labor-saving machinery and in appliances for reducing labor costs. To these advances, which are nearly all of American invention, is due the fact that since the last census was taken the United States has reached a point where, measured by value of products, it stands preeminently the greatest iron manufacturing nation in the world.

The value of this product in 1900 was $1,793,490,918. (Pages 149-150.)

LUMBER INDUSTRY.

The output of this industry in 1900, after deducting the cost of material purchased in a partly manufactured form by the planing mills, was $341,038,150, or eleven times the amount reported fifty years before. The abundance of the forests of the United States and the great variety of timber which they contain have contributed chiefly to this enormous development. (Page 150.)

BOOT AND SHOE MANUFACTURES.

Factory methods made possible the production in the census year of 219,000,000 pairs of boots, shoes, and slippers of all descriptions for men's, women's, and children's wear. A large and increasing proportion is exported, the increasing popularity of American shoes in foreign countries being due to the superior quality and comparative cheapness of this particular product of American inventive genius. This means an average of three pairs for every man, woman, and child in the United States in 1900. (Page 151.)

PAPER AND PRINTING INDUSTRY.

Product of 1900, $606,317,768.

From a somewhat precarious and widely scattered industry, carried on generally in small establishments situated at remote points where water power was available, the paper manufacturer has shown a marked tendency toward concentration in large establishments, equipped with the most mod-

ern machinery and labor-saving devices. These improvements, together with the utilization of the cheaper raw material of wood pulp, have resulted in a pronounced decrease in the cost of paper, while in turn the industry has been stimulated by the extraordinary development of the newspaper press and by the great demand for reading matter which characterizes the American people. This demand for paper, and the abundance and accessibility of the materials from which it is manufactured, have brought this industry to a point of perfection in the United States not known elsewhere, and in recent years have resulted in a marked increase in the demand for American paper for export trade. (Page 151.)

This is a record of which we are all proud, but before we give any system our indorsement as sensible men we must consider the cost. Now, I invite the attention of the country to the cost of the protective system under the Dingley rates.

In 1903 we imported into this country products upon which a duty was collected amounting to $599,538,258, upon which we collected revenue of $284,479,581.81, or an average duty of 50 per cent. Of course the consumers of this country had to pay that enormous tax, but this tax went into the Treasury of the United States to defray the expenses of the Government.

Now, how are we to get at what does not go into the Treasury of the United States, but into the coffers of the protected barons of this nation? To do this we have to find out, not what goods were imported, but what were consumed by our people, that were manufactured at home, because tariffs allow the home manufacturer to inflate the cost of his product at about the rate placed upon that product by the tariff law.

Mr. Mulhall, the eminent statistician, says that the manufactures of the United States are inflated in price by our tariff laws fully 33⅓ per cent. In other words, the consumers of protected goods are required, on an average, to pay more by that much than they otherwise would. So we get down to the proposition, what amount of home-manufactured goods is consumed by the people of the United States annually?

As quoted above, the Twelfth Census report correctly states that on account of the great collective wealth of our population we have a larger consuming capacity than any other nation, and that we consumed in manufactured, agricultural, and mining products in 1900 the stupendous sum of $18,811,121,432, except the sum of $1,370,763,571, which represents all of our exports for the year 1900. In this statement we see that in that year our people consumed more than thirteen billion dollars worth of manufactured products, less the amount exported, which ought not to be considered, because we imported more than we exported, taking out of account the exports of agriculture.

But suppose we make allowance for articles in the manufactured list that receive no benefit from protection, and to be entirely safe we will take just one-half of the thirteen billion dollars, or say in round numbers six billion dollars. If the average duty were no more than 33⅓ per cent (and it is conceded to be much higher) we would have the enormous tax of two billion dollars paid each year by the consumers of this country into the pockets of the manufacturer to be by him dispensed in any way his charity, whims, or interest may direct. If this calculation is anything like correct, and I submit that the figures are not too large, what an appalling amount of taxes our people are required to pay annually by reason of the Dingley rates!

About three hundred million into the Treasury of the United States, and about two thousand million into the treasuries of the manufacturing institutions, combinations, and trusts of this country! In other words, where we pay one dollar into the Treasury of the United States, we put more than six dollars into the pockets of the protected industries of this country. Now, I ask the question, What justice in this immense tax on the consumption of our people?

But the protected baron says, "I do not ask this for my own benefit; I am a man of charity. I want you to give me this immense bonus that I may, in turn, give it to my employees." Now, what are the facts? Is the American skilled laborer receiving one cent more for making a pair of shoes, a steel rail, a yard of cloth, or any other given article than his competitor in foreign fields? I submit that he is not paid one cent more. On account of the American workman's superior intelligence, of his stronger body (because he is better fed), of his willingness to use the most approved appliances, and the latest inventions; because of his great superiority in every respect, the facts are that his output is greater than that of any other workman in the world.

Mr. Mulhall estimates that the British workman in 1894 turned out annually about $500 worth of products, while his competitor in the United States turned out $1,300 worth, or nearly three times as much. According to the Twelfth Census report on manufactures, page 55, vol. 7, in the year 1900 the average product per wage earner in the United States was $2,450, nearly five times Mr. Mulhall's estimate for Great Britain.

No; the truth of it is that the manufacturer of this country as a rule does not pay as much for labor on any given article as his competitor in other parts of the world. Our labor is better paid because it is more productive, and because of the united effort of the laboring men, through their unions, to maintain a respectable wage scale and to improve the conditions of labor.

I represent upon the floor of this House a district largely agricultural, consisting of as loyal, brave-hearted, and industrious men and women as are to be found upon any spot on God's green earth. They are large consumers of the products of our factories. Their surplus wheat, corn, oats, and cotton has to come in competition with like surpluses of all the countries of the world.

In the name of these patient, hard-working people I feel it is my duty, upon the floor of this House, to protest before the American people against the rank injustice contained in these high Dingley rates.

But we are told that prosperity succeeded after the enactment and enforcement of these high rates. Let us see.

To refute this argument, let us put upon the stand one of the most able stand-patters on the Dingley tariff on this floor. I refer to Mr. HILL of Connecticut, in a speech delivered by him in the House on January 21, 1904.

In this speech Mr. HILL attributes the remarkable prosperity that succeeded 1897 to the vast sums of money expended by the United States Government in preparation for and carrying on the war with Spain, and also in the vast sums of money spent by the British Government in the United States for the purpose of carrying on the South African war.

Mr. HILL says, "I find that during the past five years, since 1898—when we declared war upon Spain—to 1892, we spent in excess of the five years preceding, $818,903,236 in this country; almost entirely war expenses." He further says, "During these same years the British Government was engaged in the war in South Africa and they bought largely of their supplies in this country. I made those comparisons, and I find that during the Boer war we shipped to England and to South Africa $203,980,118 more of our products than we had in the preceding three years; so that during the past six or seven years the industries of this country have been stimulated to the extent of more than $1,000,000,000."

In this speech Mr. HILL did not have in view the giving of a reason for the prosperity of the country during those five years, but he had in view to account for the adverse conditions in the New England States during the last two years, which he admitted to exist; but, whether wittinglyor unwittingly, he gave the proper reason for the prosperity that succeeded Mr. McKinley's election in 1896, with the exception that he ought to have added, as additional causes for this prosperity, the increase in the gold currency of the nation by reason of the Klondyke discoveries, which amounted in those years to several millions of dollars; and the further addition to the currency of the nation by an increase of $200,000,000 in the national bank note issue. Also the further fact of the constantly increasing demand for cotton throughout the world; and because of the shortage of the cotton crop in this country these facts have resulted in an increase in the price of cotton; the shortage of the wheat crop of the world, outside of the United States, which resulted in the high prices of wheat. If Mr. HILL had given these reasons, he would have told the whole truth as to the prosperity which succeeded 1896.

These facts clearly contradict the claim that the prosperity which succeeded Mr. McKinley's election in 1896 was due to the Dingley tariff—a claim the bare statement of which ought to reveal its fallacy to any fair-minded man. It requires us to believe that permanent prosperity can be brought to this country by compelling the vast army of consumers of the nation to pay more for what they consume. This claim can only be applied to those who own and operate the protected manufacturing industries of this country, because it forces the consumers to buy from them at their prices; but in proportion as this system brought prosperity to the owners and operators of the manufacturing industries, it brought adversity to the vast army of consumers of the country, which, in the years mentioned, was overcome by the favorable conditions above referred to.

Of course every intelligent man knows that when large sums of money are turned loose in the channels of trade, commercial activity will at once spring into existence, the wheels of commerce will begin to turn and hum, and labor will be employed, and in that way, apparent prosperity will be brought to the people; but whether this constitutes permanent prosperity depends upon whether this money is from an outside source, coming through the normal or natural channel, or whether it is arbitrarily taken from a part of the people of a given country and turned loose among the same people. In the latter event, we are just robbing Paul to pay Peter, and the day of sad accounting must come to pass.

Suppose the Government should give to the wheat raisers of this country 10 cents per bushel for each bushel of wheat raised (which would be as just as giving to our manufacturers), 1 cent per pound for each pound of cotton raised, 5 cents per bushel for each bushel of corn, or would give the merchant a premium of 10 per cent for each dollar's worth of goods he sells. Temporary

prosperity in a sense would result to these classes, and from them spread somewhat over the whole country. But what man of any intelligence would say there was any permanence to any such prosperity, leaving out the question of justice in taxing other people to give to these. It would simply be a tax upon the whole people. It would be taking money out of the pockets of those who have honestly made it and giving it to favorites; but still for the injustice and iniquity of such a system it does not surpass that demanded now by the manufacturers of this country through the Dingley rates.

Talk about patriotism, party loyalty, broad statesmanship, and the glorious history of our past in considering the protective tariff system! It is all nonsense! Patriotism is it? Party loyalty is it? Let us see. There is but one standpoint from which you can explain the political course of protected tariff barons, and that is from the standpoint of a temporary increase of their dollars. We have got to leave men, patriotism, and loyalty out of the problem; and to convince you that this is done and that dollars are here considered first, I refer you again to the speech of Mr. HILL of Connecticut of January 21, in which he stated, with great accuracy, what the real demand of the protected baron is.

WHAT THE REAL DEMAND IS.

He said, "Now, gentlemen, the whole question of the tariff simmers right down to this: Who are the people of this country who are proposing to fix the tariff rates and provide for its industrial policy? They are the men who are interested in it." This clearly puts the right to make tariff schedules in the hands of the men who are receiving the profits of the high protective system; they are demanding that they, and they alone, are to be consulted when it comes to fixing the tariff schedule for this great country of ours. Now, I submit to any candid, fair-minded man whether it is not a fact that they are disqualified, by reason of their direct personal interest in the legislation, from sitting as judges of what this legislation should be. This interest would unfit them as judges in any court in any civilized country.

Having made this clear statement of the demands of the tariff barons, the gentleman from Connecticut then proceeds in his graphic and forceful manner to describe the workings of this House. He says, "How is business done in Congress? You know as well as I that it is not done as it is in the legislative halls of the various States of the Union, where every proposition brought in is reported and voted on—reported 'yes' or 'no' by the committee. It is done here by a great big machine, and is done in accordance with the policy of the country, and you gentlemen, every one of you, sitting in your committee rooms, know what is the result when bills are brought in that are not in accordance with that policy. They go to the waste basket, and that which the great big machine of the General Government, not what the individual wishes, prescribes shall be done is done.

"Now, who are the men who are to do it under that system here? Let me give you the composition of the Ways and Means Committee to-day and what the membership represents, not with any sectional feeling whatever, but with reference to the proposition that the majority in this country ought to govern, and if that is not good Democratic doctrine then I do not know what is. Now, think of the majority membership as represented by this committee when you talk about changing the policy of this Government. What would be the effect of it? The distinguished and able gentleman from Mississippi would take the head of the table on the Ways and Means Committee and the Democratic machine would dictate the policy of the country.

"Now, what do they represent in the industrial system of this country? He represents 1,443 votes cast in the last election. There are more manufactured products in my district than are represented by the whole Democratic membership in the Ways and Means Committee."

Further on in the same speech, Mr. HILL says, "Now, I want to show where the majority of the industrial portion of this country is found. The district which the gentleman from Mississippi represents has industrial products to the amount of $5,565,662. The single city which Mr. BOUTELL, of Illinois, has the honor to represent has industrial products to the amount of $888,000,000."

"Now, think of it" (says Mr. HILL); "and yet these gentlemen propose that this great country of ours shall turn over the whole magnificent industrial system of this country to the care of people who do not represent it. Will we do it? I think not."

We have in this statement the clear, cold declaration that dollars shall control, and not men, and this House is but a huge machine to record the verdict of the dollars; that the real issue is between those who profit by this system and those who have these profits to pay—between the taxgatherer and the taxpayer. It is well for this House and the country to know and never forget that with the beneficiaries of a high protective tariff, stripped of all sentiment and partizanship, the ruling motive is private gain. It is a question of dollars and cents.

I want to put this question to this House and the country: Suppose the Republican party were to conclude, as they reasonably might in the interest of the whole American people, that in view of the over-developed condition of our manufacturing industries, and in view of the fact that we have given them more than they are entitled to, as their overdeveloped condition testifies, by legislation in the past, and in view of the fact that the great purpose which called the Republican party into being was to champion the rights of all men everywhere and maintain, under law, the rights of every citizen, and keep one class or section from denying the enjoyment of these rights to all men, that it is time for this great party to turn its attention to the great mass of consumers of this nation and conserve and protect their interests, that therefore they will reduce this tariff to a revenue basis strictly or declare for a horizontal reduction of, say, 20 per cent.

Suppose that in some strange and miraculous way this just and humane idea should get into the councils of the Republican party and control, I wish to submit this question: How long would the beneficiaries of the present Dingley rates remain in the ranks of the Republican party? How long would they give of their money to its support, provided, on the other hand, the Democratic party, in some strange and miraculous manner should adopt the very unjust and inhumane conclusion that the present Dingley rates are not too high and ought to be preserved? Don't you know and doesn't the country know that every beneficiary of the Dingley rates would desert the Republican party and clamor for the election of a Democratic President, and would pour out his gold to defeat the Republican ticket?

It is a question with them of dollars and cents. It is not a question of patriotism or party loyalty that controls the beneficiaries of the high protective tariff system. It is true they send out the best talent of the nation, men who are controlled by loyalty to the Republican party, and men who are as eloquent as Cicero in proclaiming and in holding up before the people the glorious history of the Republican party in its successful effort to secure the freedom of the slave, and preserve the union of the States; but from the standpoint of the protected manufacturer, this eloquence and this patriotism are both branded with the dollar mark.

It is true that the statement above quoted from Mr. HILL shows up the real truth in all its iniquity to the agricultural portions of the country, and to counteract this effect, in a speech delivered subsequently, in discussing what Democracy stands for, Mr. HILL tried to make the leaders of the majority, especially those on the Ways and Means Committee, appear as the special champions of the agricultural interests. He would have the country look at Farmer DALZELL, Farmer HILL, and Farmer PAYNE, et al. He gave a table showing how the agricultural products of the States represented by the majority members of that committee compared with the same interests of those represented by the minority members. The table given is as follows:

Statistical information concerning Ways and Means Committee, by States represented.

Membership.	State.	Population.	Rank of State in agriculture.	Per capita of agricultural products.	Total agricultural products.	Rank of State in manufacturing.	Per capita of manufactured products.	Total manufactured products.
REPUBLICAN MEMBERS.								
Sereno E. Payne	New York	7,268,894	Fourth	$34	$245,270,600	First	$299	$2,175,726,900
John Dalzell	Pennsylvania	6,302,115	Eighth	33	207,895,600	Second	291	1,834,790,860
C. H. Grosvenor	Ohio	4,157,545	Third	62	257,065,826	Fifth	200	832,438,113
James A. Tawney	Minnesota	1,751,394	Eleventh	92	161,217,304	Thirteenth	150	262,655,881
S. W. McCall	Massachusetts	2,805,346	Thirty-first	15	42,208,274	Fourth	389	1,035,198,989
J. W. Babcock	Wisconsin	2,069,042	Twelfth	76	157,445,713	Ninth	174	360,818,942
V. H. Metcalf	California	1,483,053	Fourteenth	89	131,690,606	Twelfth	204	302,874,761
E. J. Hill	Connecticut	908,420	Thirty-eighth	31	28,276,948	Eleventh	388	352,824,106
H. S. Boutell	Illinois	4,821,550	Second	72	345,649,611	Third	261	1,259,730,168
J. E. Watson	Indiana	2,516,462	Ninth	81	204,450,196	Eighth	150	378,120,140
C. E. Curtis	Kansas	1,470,495	Seventh	143	209,895,542	Sixteenth	117	172,129,398
Total		35,556,316			1,985,656,220			8,957,908,258

Statistical information concerning Ways and Means Committee, by States represented—Continued.

Membership.	State.	Population.	Rank of State in agriculture.	Per capita of agricultural products.	Total agricultural products.	Rank of State in manufacturing.	Per capita of manufactured products.	Total manufactured products.
DEMOCRATIC MEMBERS.								
John S. Williams	Mississippi	1,551,270	Eighteenth	$66	$102,492,283	Thirty-ninth.	$26	$40,431,386
S. M. Robertson	Louisiana	1,381,625	Twenty-third	53	72,667,302	Twenty-second.	88	121,181,683
C. A. Swanson	Virginia	1,854,184	Twenty-first.	47	86,548,545	Twentieth	71	132,172,910
S. B. Cooper	Texas	3,048,710	Fifth	79	239,823,244	Twenty-third	39	119,414,982
Champ Clark	Missouri	3,106,665	Sixth	71	219,296,970	Seventh	124	385,492,784
G. B. McClellan	New York	7,268,894	Fourth	34	245,270,600	First	299	2,175,726,900
Total		18,211,348			966,098,944			2,974,420,645
Republican average		3,232,592			180,514,202			815,209,841
Democratic average		3,035,225			161,016,491			495,736,774

This is an artful dodge to try to make it appear to the country that the protected barons are particularly interested in agriculture.

But we will show the country that the rule laid down in his speech of January 21 that dollars must control, is the rule by which the majority members are guided. In order to prove this, we turn to the State of New York, for instance, and compare the agricultural products of that State as submitted by him and the manufactured products of that State as we find in the Census Reports, and here is how they stand: Total agricultural products, $245,260,600; total manufactured products, $2,175,726,900.

Now, apply his rule as first stated to New York—that is, that dollars must control. Why, the manufactured product is more than eight times that of the agricultural product of New York. Following this rule as to New York, we would see that New York must have "stand-patters" on the Ways and Means Committee and so on with the other States represented by the majority on the Ways and Means Committee except Kansas.

I submit to the House tables comparing the agricultural products and the manufactured products of all the States represented by the majority members of the Ways and Means Committee, just in order to show how the matter stands on the principle that dollars must rule are the dollars of the farmers or the dollars of tariff barons.

Here it is:

	Total agricultural products.	Total manufactured products.
New York	$245,260,600	$2,175,726,900
Pennsylvania	207,895,600	1,834,790,860
Ohio	257,065,826	832,438,113
Minnesota	161,217,304	262,655,881
Massachusetts	42,298,274	1,035,198,989
Wisconsin	157,445,713	360,818,942
California	131,690,606	302,874,761
Connecticut	28,276,948	352,824,106
Illinois	345,649,611	1,259,730,168
Indiana	204,450,196	378,120,140
Kansas	209,895,542	172,129,898
Total	1,985,656,220	8,967,308,258

This says to the farmers of those States, "Stand aside. You haven't got money enough to be represented on the Ways and Means Committee."

These tables show that the protected barons follow their rule laid down by the gentleman from Connecticut—that dollars must control. Suppose they adopted the rule that some of us consider more humane—that is, that men should control and not dollars, how would the matter stand? We submit herewith a table showing the number of people engaged in the different occupations in the States mentioned above:

Total number and percentage of persons in the following States engaged in each class of occupations.

	Agriculture.	Professional service.	Domestic and personal service.	Trade and transportation.	Manufacturing and mechanical pursuits.
New York	375,990. 12.6	159,393. 5.3	673,374. 22.5	753,160. 25.1	1,034,557. 34.5
Pennsylvania	341,712. 14	103,011. 4.2	566,171. 23.1	454,846. 18.6	982,849. 40.1
Ohio	414,662. 26.8	77,120. 5	306,433. 19.8	283,932. 18.4	463,805. 30
Minnesota	258,944. 40.1	30,216. 4.7	124,904. 19.3	112,918. 17.5	118,892. 18.6
Massachusetts	66,551. 5.5	60,603. 5	231,003. 19.1	283,474. 23.5	566,776. 46.9
Wisconsin	270,007. 36.8	32,266. 4.4	148,491. 20.3	105,260. 14.4	176,514. 24.1
California	152,371. 23.7	41,847. 6.5	146,324. 22.7	140,612. 21.8	163,113. 25.3
Connecticut	44,796. 11.6	16,969. 4.4	75,317. 19.5	71,714. 18.6	176,814. 45.9
Illinois	462,781. 25.7	96,321. 5.3	365,342. 20.3	397,046. 22	481,550. 26.7
Indiana	342,733. 38.1	42,473. 4.7	168,591. 18.8	138,545. 15.4	206,611. 23
Kansas	271,252. 53.4	26,760. 5.3	66,963. 13.2	70,871. 13.9	71,894. 14.2
Total	3,001,799	686,979. 5	2,873,913	2,812,378	4,443,375

We find that in the State of New York only 34½ per cent of the people are engaged in manufacturing and mechanical pursuits, and clearly one-third of these get no benefit whatever from the protective tariff. But say they all do receive benefit from the high Dingley rates. We then have the interest of 34½ per cent of the people preferred over the interests of 65½ per cent of the people.

The gentleman from Connecticut nor anyone else can get away from the truth of the proposition that the great Ways and Means Committee of this House is constructed purposely to subserve the interests and profits of those whose interests and profits require the very highest tariff rates it is possible to put into effect without exposing their greed in all of its grinning hideousness to such an extent as will result in the complete overthrow of the whole system.

It seems appropriate right here to address an inquiry to the country as to whether each of the great committees of this House is not constructed for the express purpose of guaranteeing to special interests the highest profits possible to be wrung from the people by way of taxation. Take the Committee on Banking and Currency. Is this committee specially constructed in the interests of the national banks of the country? Whatever measure comes from that committee to the floor of this House we know in advance has the approval of the national bankers and bondholders of the country, and that they have had abundant opportunity to see that their profits out of the system are in no wise made less.

Take the Committee on Coinage, Weights, and Measures. Take any of the great committees. Take the general question whether Congress, through its committee organization, is anything more than a hugely organized machine to take from the people, in some form or other, the last cent they will stand and give it to the pets and favorites of the Government. This scheme demands power. Has the majority power in this House? How complete and tyranous is their power? This scheme would deny the right to full and free debate on all questions. Is that denied in this House? To the shame of our country be it said that full debate is a thing of the past for the House of Representatives.

Suppose numbers of men and not numbers of dollars are to control.

How does the matter stand, viewed from the standpoint of mere numbers of people? We find the total number of laborers in this country in 1900 to be about 29,000,000. Of this number, about 7,000,000 are engaged in industrial and mechanical pursuits, and of this 7,000,000 fully one-third are engaged in nonprotected industries, leaving not exceeding four and one-half million engaged in protected industries. Now, granting that it is of benefit to these four and one-half million laborers to have a high pro-

tective tariff, which we deny, how stands it with the twenty-four and one-half millions who receive no such direct benefit from this system? In the twenty-four and one-half million workers not engaged in protected industries are included those who are engaged in agricultural pursuits, professional pursuits, personal and domestic service, the hand trades, railroad pursuits, etc.

If the Government intends to deal fairly and squarely with all interests and all people, why, in making up the great Ways and Means Committee of this House, should the twenty-four and one-half millions be entirely ignored and the interest of the four and one-half millions only considered, and why should the majority of this committee be selected from among those who believe in the very highest protection possible? It is true the four and one half millions have more money. They are thoroughly organized. They have the finest educational system to advance their interests in the way of publications of different kinds, which are placed in the hands of each member of this House every day.

Their centers are in the large cities of the Union. They can easily get together and easily devise ways and means to carry out their purposes. They are an effective fighting force, as they have both brains and money to fight with. But I ask the question, if this Government is to be controlled by the principles of right and justice, how can we ignore the twenty-four and one-half millions of men and only pay regard to the four and one-half millions of men because they are well organized, well supplied with money, and are able to employ and bring to their support the finest talent of this country?

This presents an unjust discrimination. It has within it the element of injustice and should and must be repugnant to every true, disinterested American citizen. What is the issue between this vast majority on the one hand and this small minority on the other? I submit that to take an unbiased view of the whole situation as it exists to-day, and the history of political parties and political actions of this Government in the past, there is no sensible, fair-minded man who will contend for a moment that there is any effort anywhere, by any considerable body of men, to bring about a condition of free trade.

Of course, every man must admit, if such a thing were possible, that free and unrestricted commerce between men, countries, and nations, is an ideal state, and the end toward which all the nations of the world ought constantly to strive; but as matters now stand, it is practically impossible.

That body of American citizens who have recognized the injustice and inequality of the high protective tariff system have always admitted that in collecting money through tariff regulations necessary to run this Government these duties should be so regulated as to stimulate American industries, and to that extent protect them; and it ought to be conceded by every fair-minded man, every man who wants to be just to the great body of consumers of this nation, that we can not collect the necessary amounts to run the Government through tariff taxation without ample protection to American industries. I submit it as a truth of the political history of this country that it is the desire and belief of our people that home industries should be encouraged to enable them to compete in the markets of the world with foreign industries; that our present high standard of living for our laboring classes should be maintained; that the present standard of wages received by them should, at least, not be lowered, and that our country should be amply self-sustaining in all branches of trade and industry.

I submit this as a proposition to which the vast majority of all men, of all parties who wish to be fair, will subscribe, concerning the tariff question: That in determining what rate of duty shall be collected on any given article, we should consider, first, whether it comes in competition with a like article of home production, if not, and it is one of the staples or necessaries of life, it should be admitted free of duty; second, that if it is only one of the comforts of life, it should bear a small tariff rate; and, third, if it is one of the luxuries of life, it should bear the highest duty.

Now, if it is an article that comes in competition with one of home production, we should inquire into the labor cost of that article at home and abroad, compare these costs, and levy such a tariff duty as will amply protect the labor of this country. In ascertaining the labor cost, we should seek to discover, not so much what home labor receives per hour, day, week, month, or year, as compared with foreign, but rather what is the difference of labor cost represented in a given article; that is, if we consider shoes, what is the difference in the cost of making a pair of shoes in this country and the cost of making the same or a similar pair of shoes in foreign countries. If there is no difference in the labor cost, or if the labor cost in this country is smaller than that of foreign countries with reference to any given article, in levying a tariff duty the same rules ought to govern as stated above; in reference to the noncompetitive article—that is, if it be a necessary of life—no duty; if a comfort of life, some duty; and if a luxury of life, the highest duty; but at all events to protect the labor of this country.

Now, Mr. Speaker, I submit that in passing upon these questions it ought not to be left entirely in the hands of those citizens who are directly interested in receiving the highest profits possible. Of course, every citizen is more or less interested, because it affects his cost of living; but I submit that it is unfair and unjust to the vast army of consumers of the nation to ignore them entirely and leave it in the hands of those who expect to reap the profits of a high protective tariff to say what the tariff rate on a given article shall be. It is just as unfair to select a ways and means committee the majority of whom represent the highest tariff taxes possible, as it is to select those who do not believe in any tax at all.

One would tend just as strongly to unjustly take from the great body of consumers as the other, to deprive the laboring man of the country of a just protection, with this at least in favor of the latter; their plan which contemplates an advantage to a vastly greater number of people, and on this account is more just.

It is easy enough for a man, when he receives the direct and positive benefit of any system, to convince himself that that system is right and ought to prevail, and the universal history of mankind teaches us that where any system has prevailed its beneficiaries have been led to conclude that it is just and right, and this belief is handed down from sire to son as time runs. It is true of the various forms of government that have always existed in the Old World.

Those who are the pets and special beneficiaries of any system of government are taught, and firmly believe, that benefit to be theirs by right, and they are ready to defend it with their property and their lives. They claim and believe that it is a right given to them by high heaven; and that God Almighty has selected them as his ministers to do justice among men. It is true with all the systems of slavery that have existed in all ages of the world. My ancestor who received the direct benefits of the system of slavery in this country, believed honestly and sincerely that that system was in favor with high heaven, and in its defense he was willing, at any time, to sacrifice property and life itself. So it is with this protective tariff system. Men who receive the direct positive benefit of the system in dollars and cents and have seen this advantage handed down from sire to son; children who have grown up the constant recipients of the benefits of this system, who have heard it defended by their fathers, are taught to believe that it is right and are willing to defend it at great cost or sacrifice; but I submit to this House and the country that back of all these systems is human selfishness.

As a pretense to deceive the people, it has long been the argument of the advocates of a high protective tariff that under this system home industries would be so stimulated and competition so rife among them that the consumers of this nation would get manufactured products as cheaply as the consumers of any other nation. This doctrine is a very plausible and logical one, and I believe to-day that if competition were free and unrestricted, it would be an actual result and it would be immaterial to either the manufacturing or consuming classes what the tariff rates are; that foreign manufactured articles would be successfully kept out of the American market for the plain reason that they could not compete with the home articles. And in this manner the consuming power of our own people would be increased, and likewise there would be an increased demand for the products of our factories. But the conduct of the protected barons of this nation has long since revealed the falsity of their pretense—that they desire to see the American consumer get manufactured articles as cheaply as possible.

When they became convinced that they had the American consumer at their mercy, through the firm establishment of a high-protective tariff system into the laws of this country, they set about, with their usual skill and ability, to throttle home competition, and thus deny to the home consumer a cheap market and secure to themselves the highest profits possible. They have said to the Republican party, "You have taught the country that we are entitled, as a matter of right, to the home market, but the home market will do us no good unless we are able to control it and keep up prices. We can do this by the means of monopolies, combinations, and trusts; therefore, to enable us to get the full benefits to which you have taught the people we are entitled, you must favor us in our monopolies, combinations, and trusts."

What are the historical facts? Who is it that does not know that the trust system never boldly entered the field of American business life, threw down the gauntlet to all challengers, and asserted its right to plunder the American people until after the enactment of the Dingley law in 1897, their confidence resting largely upon the dissensions existing in the Democratic party? The people have cried out mightily against these trusts. The Republican party has had abundant opportunity to wipe them off

the face of the earth so far as this country is concerned. They have had complete control of the Government since 1896. The very fact that they have not done so, nor made a decent pretense to do so, shows that they are forced to accept the claim of the trusts that the home market is to be made secure to the home manufacturer, which condition now only means monopoly in some form.

What relief is there on behalf of the people of this country against this condition of affairs? How long shall they be required to continue to pay two thousand million dollars every year as a bonus to the protected barons of this nation? One answer is, The relief of the people is through the courts by suppressing all unlawful combinations. We answer that this is one remedy and would be effective if engaged in heartily by all departments of the Government having to do with the successful enforcement of the antitrust statute. This means willing courts, willing prosecuting attorneys, and willing juries. It means also the settlement of all intricate questions of law as to the rights of the Federal Government and the rights of State government, the rights of individuals, and the rights of corporations. At best, this means a slow, tedious remedy, and if there is a disinclination to act in any part of the judicial machinery, it is an entirely ineffectual remedy.

There is another remedy that the people have in their own hands, which they can apply at the ballot box, and that is to give themselves relief by electing to power a party pledged to the reform of the tariff rates, and to lower them so that the people, since they are denied home competition, can have the full benefit of foreign competition. This is a complete remedy. It at once throws the home trusts into competition with the foreign concerns and the American consumer will get the benefit of this competition. Not that any more foreign goods will be shipped into this country than are now shipped in, but the home trust will be compelled to reduce the price of the home-manufactured article, which he will do, and this will keep out the foreign manufactured article.

Shall the immense army of toilers of our nation, who have been grievously burdened far too long already, be forced to carry this burden longer? Think of it! Two thousand million dollars! This monumental injustice! There ought not to be, there can not be, a cessation of the demand of our people for tariff reform until this mountain of injustice is removed.

High protection has long, long ago served its purpose. It has long outlived its usefulness. Mr. Clay, the father of the system, in the last years of his wonderful career, saw this and repeatedly gave assertion to the fact that high protection had served its purpose and was no longer needed. Mr. Lincoln saw this in 1859, when he was considering the platform of the Republican party, for he said in a letter to a friend, dated October 11, 1859, "It is my opinion that, just now, the revival of that (the tariff) question would not advance the cause itself or the man who revives it.

"We, the old Whigs, have been entirely beaten out on the tariff question; and we shall not be able to reestablish the policy until the absence of it shall have demonstrated the necessity for it in the minds of men heretofore opposed to it."

In 1835 Mr. Clay, in advocating his compromise tariff measure, said, "The true theory of protection supposed, too, that after a certain time the protected arts would have acquired such strength and protection as would enable them subsequently to stand up against foreign competition."

In 1840 Mr. Clay, in one of his speeches, made the following statement with reference to the tariff question: "No one, Mr. President, in the commencement of the protective policy ever supposed that it was ever to be perpetual. We hoped and believed that temporary protection, extended to our infant manufactures, would bring them up and enable them to withstand competition with those of Europe. If the protective policy were entirely to cease in 1842 (he was speaking of the graduated decrease of the tariff) it would have existed twenty-six years from 1816, or eighteen from 1824—quite as long as, at either of those periods, its friends supposed might be necessary."

In the same year Mr. Clay repeatedly stated in letters to friends that the protective policy was never intended to be permanent. In 1844, in Mr. Clay's tours of the country, he repeated his views that "the tariff was a temporary arrangement, which the infant industries, rapidly growing up to manhood, would not much longer require."

In the last Congress in which Mr. Clay was active, in a speech on public questions generally, he said this of the tariff: "For one I would be extremely delighted if the subject of the tariff of 1846 could be taken up in a liberal, kind, and national spirit; not with any purpose of reviving those high rates of protection, which, at former periods of our country, were established for various causes—sometimes for sinister causes—but to look deliberately at the operation of the tariff of 1846; and, without disturbing its essential provisions, I should like a consideration to be given to the question of the prevention of frauds and great abuses, of the existence of which there is no earthly doubt."

The tariff of 1846 was considered by many a free-trade tariff, but the country prospered, both as to its manufacturing and other interests after the enactment of that tariff, and made such strides of material progress during the years following, up to 1860, that that period is denominated by all writers upon American economy as the period of greatest general prosperity and development.

To reform the tariff in a substantial manner is the patriotic duty of the American people. We are collecting too large a revenue; we are encouraging extravagance in public expenditures at an alarming rate. The Government has one hundred and fifty millions of dollars tied up in national banks upon which the people get not one cent of interest. The people are getting restive everywhere.

They are asking themselves the question, if this system is to be purpetual, if we are to be continually plundered in this manner by the laws of our Government, then we are entitled to have this money spent in our respective localities. And every imaginable scheme for expending the public treasure is now being advocated. These schemes have their birth in the despair of the people for relief from burdensome taxation, and the sense of fair play that dwells in every true American heart is asserting itself.

I believe that two wrongs never make a right, that if we wrongfully collect money from the people it is not proper to wrongfully spend it among the people and thus bribe them to accept the first wrong. The true remedy, the just remedy, is to reform the tariff and quit hoarding up large sums of money in the Treasury. Cut down expenses to an economical basis, reform the tariff in the interest of the consumers of the nation so that not only will the Government not heap up unnecessary treasure in her vaults, but the consumers of the nation shall be enabled to keep in their pockets their own money and buy the necessaries and comforts of life and not be required to take this money out of their pockets and put it into the pockets of the manufacturing trusts of this nation. A tariff for revenue only is the only true basis, and ultimately will be adopted because in the end the right will prevail.

The amendments were agreed to.

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

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

ORDER OF BUSINESS.

Mr. GROSVENOR rose and was recognized.

Mr. BABCOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BABCOCK. I should like to ask if this is still District day; and if so, I would ask that Senate bill 5583 be resumed and that the reading of it be completed.

The SPEAKER. The Chair will state to the gentleman from Wisconsin that it is still District day, and while it is in order to call up District business, the matter that the gentleman from Ohio [Mr. GROSVENOR] desires to call up is one upon which the previous question has been ordered, and it is also privileged outside of that. The Chair will be delighted to recognize the gentleman from Wisconsin later.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, resuming the consideration of the bill S. 2263, I wish to yield to the gentleman from Michigan [Mr. LUCKING] ten minutes.

The SPEAKER. The gentleman can not do that save by unanimous consent, as the previous question has been ordered.

Mr. GROSVENOR. I ask unanimous consent that we may have twenty minutes' debate on this bill, upon the subject-matter of the bill, ten minutes to be allotted to the gentleman from California and ten minutes on this side.

Mr. MADDOX. Is that the special order that is before the House?

Mr. GROSVENOR. Yes.

The SPEAKER. Is there objection?

Mr. SMALL. Mr. Speaker, I should like to know if this bill is open to amendment?

The SPEAKER. It is not. The previous question has been ordered.

Mr. GROSVENOR. I think I shall be able before we get through to give what the gentleman wishes. I think I understand what it is. The gentleman will be satisfied when we come to have a vote on the bill.

Mr. SMALL. I would like to have five minutes.

Mr. GROSVENOR. I can not yield any more time. The bill has already been talked to death.

The SPEAKER. Is there objection?

Mr. SMALL. I object, Mr. Speaker.

Mr. GROSVENOR. Then, I ask for a vote.

Mr. GAINES of Tennessee. I did not object. Mr. Speaker.

The SPEAKER. The gentleman from North Carolina objected, as the Chair understood. Is there objection?

Mr. SMALL. I withdraw my objection.

The SPEAKER. The previous question has been ordered upon this bill, and the gentleman from Ohio asks unanimous consent——

Mr. GAINES of Tennessee. I withdraw my objection, on the statement of the gentleman from Ohio that the bill has already been talked to death. I want to see it buried to-night.

The SPEAKER. The gentleman from Ohio asks unanimous consent that there be ten minutes' debate on a side upon the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. I yield to the gentleman from Michigan [Mr. LUCKING].

Mr. LUCKING. Mr. Speaker, it is something of a pleasant innovation to be able to have some discussion in regard to the bill which is before the House to be voted upon. Now, there is an important measure up for consideration which Members are to vote upon, and it is doubtful if more than one Member out of ten knows a thing about it. Therefore, I regard it as an agreeable violation of the rules and practice of the last few days to have a little discussion upon the measure itself. This is a bill to require all the military and naval supplies of the Government to be carried in American vessels. It is one of a trio of vicious measures which have been projected into this House and carried through at the behest of the shipping lobby which has been around this Capitol for the last three or four months persistently. [Applause.]

Other measures of vast importance to different sections of the country, and some of them affecting the whole country, have been utterly neglected and shoved aside here, as we have heard from time to time; but three of the most important which have been before this Congress have been brought here in the interest of one special private industry and driven through without any reasonable opportunity for discussion. This measure went through the Committee on Merchant Marine and Fisheries in just ten minutes, without any previous notice whatever that it was to be considered by that committee. In fact, it properly belonged to the Committee on Military Affairs, as I understand the jurisdiction of these several committees. But it is undisputed that this bill is not conceived or pressed in the interest of the Government of the United States or of its Treasury. The bill is not fathered by the War Department or the Navy Department, nor does it come from the Naval Committee or the Military Affairs Committee, but it comes from the Committee on Merchant Marine and Fisheries, and it was introduced into the Senate and passed there, and is now being pushed here strictly as a measure for private interests and for no other real consideration.

Now, in that connection I have not time to discuss it at length or fully; but to summarize the objections, let me read to you what the late Secretary of War, Mr. Root, said in regard to this identical measure. He said, in an official communication to the Senate:

> Under these circumstances, if we were confined absolutely to American bottoms for this business, we would have no way of escaping from the payment of at least three times as much as we now pay for this class of transportation. * * * I should be in favor of increasing the preference to, say, 25 or 30 per cent.

Now, in 1901 the Government paid $4,500,000 for this class of transportation. Last year the War Department alone paid $519,000. We have not the figures for the Navy Department. If the estimate of Secretary Root is correct, and if his opinion is justified by the facts (there is no time to discuss it or prove it, but it was a deliberate official communication upon this proposition) then the service which cost half a million dollars last year for the War Department alone will cost a million and a half of dollars under this law. That is a clear bounty and gift out of the money of the people of the United States to a few shipowners who have declined to spread the benefits a little bit by accepting an amendment that the ships for which they receive this gratuity should at least be manned by American sailors. They will have an absolute monopoly and they can charge what they choose, and there will be no check upon them except a very ineffectual one, to which I will refer in a moment.

Now, here is a statement of Rear-Admiral Converse, of the Navy Department, in regard to this bill:

> I do not think that the Navy Department should be the one to pay all the subsidy for building up the American merchant marine, and I do not think the Bureau of Equipment should have to increase its estimates for coal transportation beyoud a reasonable amount simply to carry coal in American ships. It is my opinion therefore, as previously stated, that there should be a means provided for carrying American coal in any vessel, giving preference to American bottoms whenever they can be obtained at a reasonable advance over the price offered by foreign ships, said advance to be limited by a certain percentage.

Now, in the House in the last Congress a measure of this kind was introduced at the request of the vessel owners themselves, giving them a preference of simply 10 per cent over foreign vessels, and they were satisfied with that. This year they refused to accept four several amendments in the Senate offered to this bill, giving them a preference of 25 per cent, 50 per cent, 75 per cent, or 100 per cent; so you see how bold they have become in their demands. In the Fifty-seventh Congress they were humble mendicants, asking modest alms; now they stand upon their strict rights, demand an absolute monopoly, and refuse to accept any limitations whatever. They are the sturdiest and most determined set of beggars that I have ever seen in my brief experience in the Congress of the United States. [Applause on the Democratic side.] Two years ago they were pleased and gratified at the idea of receiving a 10 per cent advance, and now they will not permit an amendment of 50 per cent or even 100 per cent. It was my intention to offer an amendment here, and I shall have it sent to the desk and ask for its consideration, even though under our peculiar rules consideration of it shall be denied. It is as follows:

> In section 1, at the end thereof, insert: "*Provided*, That rates of freight paid to such vessels shall not exceed the rates which may be offered by foreign vessels by more than 50 per cent."

Now, it was claimed in the hearings before the committee by the representatives of the vessel interests that the increase of freight rates would not be to exceed 25 or 30 per cent. The Secretary of War thought they would be 300 per cent. Why, if the shipowners are honest, should they object to a limitation of 50 per cent? Now, the bill contains a clause if the President shall find that the rates which these vessels charge are excessive and unreasonable he may revert to the old law for letting the contracts. This might seem like some check upon extortion, but the Senate has refused and the House committee has refused to place any percentage limitation upon the charges to be made, not even 100 per cent above the rates offered in open competition, and the declared purpose of the act being to subsidize American shipping, the President will not feel authorized to limit them to any particular amount.

If Congress refuses to place an extreme limit, why should he, since Congress will have declared its purpose to open the Treasury to these gentlemen. And again, these are matters which can not receive the personal attention of the President; and if this ship lobby could come here, as it has done, and, in the face of the opposition of the Administration itself, at the beginning of this Congress cow down the members of that Administration and make them accede to their demands to this extent, what will that lobby succeed in doing with the underlings in the War Department and Navy Department who will have the letting of these contracts? [Applause on the Democratic side.] The President will never hear of the contracts until scandals fester and burst and the reeking corruption comes to the surface. The House committee has been far more complacent, to use a mild adjective, toward these gentlemen than even the Senate was, for the bill as it came to us contained the following provision, which I shall submit as an amendment, and which I understand I have the consent of the gentleman from Ohio to propose as an amendment to the bill, namely:

> In section 1, at the end thereof, insert: "*Provided*, That no greater charge shall be made by such vessels for transportation of articles for the Army and Navy than are made by such vessels for like goods for private parties or companies."

Now, surely, this is a reasonable amendment and ought to be voted for by every Member of the House. It was in the bill as it passed the Senate, but was stricken out by the Committee of Merchant Marine and Fisheries. Another amendment I wish to offer and ask leave to have submitted is as follows:

> *Provided*, That no ship shall be so employed unless manned by American sailors, and not by Mongolian sailors.

This is brought forth by the fact, gentlemen of the House, that the seventeen vessels on the Pacific Ocean which are now carrying our commerce are manned exclusively by Chinese sailors, and they work for about one-quarter of what American sailors will work for, and therefore the results of this bill, if passed, will be not only to increase the freight charges 300 per cent if Secretary Root is right, but to give the whole benefit thereof to about half a dozen big ship companies, who are not willing to share a portion of the benefits thereof with American sailors and American seamen. [Applause.] These, Mr. Speaker, are some of the objections which exist to the proposed law; but I confess my feeling of utter hopelessness in opposition to this measure when I recall the abject surrender of this House to the ship lobby in the vote of last Saturday, when it voted down my amendment to the ship-commission bill, providing that no plan should be reported or recommended which called for subsidies out of the United States Treasury. Our Republican friends voted almost solidly against that amendment, and hence went on record as willing to support a subsidy measure. If the country approves their course next November, they will urge, and with much reason, that their course has received the sanction of the people and that the country demands a subsidy measure.

The issue is made and it is for the electorate to decide.

This bill is a subsidy measure, pure and simple. The majority justify themselves on the ground that it is necessary to do something for our merchant marine; but this can be, in the nature of things, nothing but an inadequate, sporadic, and expensive treatment of the problem of aiding our merchant marine. Conceding that our merchant marine should be fostered, our efforts should be bended in an honest, patriotic endeavor to adopt a policy at once constitutional and reasonable, and broad and comprehensive enough to cover the whole subject. In our report upon the Gardner commission bill (H. R. 7056) we recommended the plan of discriminating duties as adopted by the First Congress of the United States, which proved a complete success in building up our merchant marine and which was indorsed by the Republican national platform of 1896; but our opponents object to that plan upon the ground that we must first abrogate certain trade treaties with foreign nations, among them, for example, the treaty with Russia.

If we needed any excuse or justification for the repeal of that treaty we could readily find it in the insolent manner in which our rights under the first clause of the treaty are violated with respect to our Jewish fellow-citizens.

I desire to call attention in the most emphatic manner that our treaty with Russia is being violated every day by the manner in which she refuses to honor passports issued by our Government and carried by our Jewish fellow-citizens, simply and solely because of their religious belief.

It became my duty recently to investigate this subject in connection with the application made to me by a widow lady of the city of Detroit, who desired to visit her sons who are living in a certain city in Russia and all of whom, like their mother, are respectable, law-abiding, and well-to-do people. I visited the Russian embassy and found that under no circumstances would a passport issued to a Jewess receive official recognition or be properly honored by the Russian officials.

At our own State Department I was confronted with a circular containing the following:

The laws of Russia also exclude from Russian territory, except by special permission, all people of the Jewish faith, and while this Government has been endeavoring for some time to secure a relaxation of this restriction, it is only proper to warn those who are in the category to which they refer that it has not been able to secure from the Russian Government uniform treatment for all American travelers in Russia without regard to their religious belief or place of birth.

Surely this is a most humiliating confession to be made by the greatest and most powerful government in the world with reference to the very point upon which we are the most sensitive. One of the foundation stones of American liberty and of the American Republic is religious freedom and equality of privileges in the exercise thereof. And yet we find one large and powerful class of American citizens absolutely barred from one of the important rights of American citizenship wholly on account of their religious belief.

Astounded at finding this condition of affairs I turned to the treaty between the United States and Russia, which was executed December 18, 1832. For three-quarters of a century this treaty is supposed to have been in force, and yet the very first provision thereof is being constantly violated by the Russian Government. The first article provides:

Inhabitants of their respective states shall mutually have privileges to enter the ports, places, and rivers of the territories of each party wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories in order to attend to their affairs, and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing.

It will be noticed that this treaty makes no distinctions between different classes of American citizens only so long as they be law-abiding. No exceptions or reservations are contained in its language which by any construction, however strained, can warrant the Russian Government in heaping insult and humiliation upon Jewish-American citizens by turning them back from the gates because of their admirable adherence to the religious faith which has come down to them from their fathers, and which under all manner of persecution they have clung to and cherished for many centuries.

And therefore, Mr. Speaker, in passing I desire to express here and now, publicly, my profound sympathy with and entire approval of the resolution introduced into this House on the 4th day of last January by the honorable gentleman from New York [Mr. GOLDFOGLE], which reads as follows:

Resolved, That it is the sense of the people of the United States that uniform treatment and protection should be accorded to every American citizen, regardless of race or creed, when traveling or sojourning abroad, and that every earnest effort should be made by the executive department of this Government to secure from the Imperial Government of Russia such uniformity of treatment and protection, especially in the recognition and honoring of the passports held by our citizens, to the end that there be no discrimination made by the Government of Russia between American citizens on the ground of their religious belief or faith; and the President of the United States is hereby respectfully requested to take such steps and cause such diplomatic negotiations to be set on foot as may tend to secure, through means of treaty or otherwise, the honoring and the uniform recognition by the Russian Government and its authorities of American passports, irrespective of the religious faith or denomination of their holders, to the end that every law-abiding citizen provided with a passport duly issued by this Government shall, regardless of what may be his race, creed, or religious faith, have freedom in traveling and sojourn in the territory of Russia, subject to such provisions in any treaty between the United States and Russia as are not inconsistent with the spirit and intent of this resolution.

This is a wise, just, and patriotic resolution, and does honor to the conservatism and self-restraint of the distinguished gentleman from New York, who is justly indignant at the undeserved odium and unmerited stigma placed upon citizens of the Jewish faith by this unwarranted discrimination on the part of the Russian Government.

It will be noticed that this resolution does not deal with nor even call attention to the barbarous policy pursued by Russia toward her own subjects of Jewish faith. It deals only with the rights of American citizens. I do not care to dwell to-day upon the shocking brutalities and awful outrages perpetrated upon the Jews in Russia. The Government of Russia may not be directly responsible for these barbarous and inhuman practices, but the undoubted fact that the Russian Government treats the Jew largely as an outcast and in many respects not entitled to the rights of citizenship unquestionably incites and encourages the bigoted mob to vent its bloodthirsty propensities upon the helpless and unoffending Israelites. Woeful and pitiful as is the condition of those helpless and unoffending people, they are within the jurisdiction of the Russian Government, and it is beyond our power to do more than to protest in the name of humanity and civilization against the massacres and outrages, and thus help to awaken a sentiment which may penetrate even to the heart of Russia.

But in matters pertaining to the rights and privileges of American citizens we have full authority and power, and it is the duty of our Government to act. No justification can be pleaded nor excuse given for selecting out from the great body of American citizens, with all their different creeds and beliefs, the Jewish citizen and placing upon him alone the ban of exclusion, insult, and obloquy. They are the most peaceful and the least violent of all our citizens. Crimes of violence are very rarely committed by Jews, and seldom are they found in our prisons or in our almshouses. They are a quiet, inoffensive, industrious, peaceable, law-abiding population. They do not ask to go to Russia to plot against the Government or to breed disturbance, or even to agitate for greater recognition of their natural rights, but only on the peaceful errands of business or of paternal, maternal, or brotherly or sisterly affection. It is not pretended that they would interfere with the Government in any way or disturb the peace of the Empire, but it appears their only offense is that their faith is obnoxious to the ruling powers.

Under these circumstances the reflection and odium arising from their exclusion is not so much upon them as upon our Government. The ignominy is cast upon the American name, for we ask these privileges only for American citizens. It is not a question of Jew or Gentile; it is a question of American citizenship. Our efforts in behalf of the Israelites is not intended to be disrespectful toward the Russian Government, but arises from a just and proper desire that our citizens should be received abroad with entire respect as such citizens and should be received in Russia on the same footing as in other countries and as the Russians are received in the United States.

It is the greatest glory of our institutions and the secret of our unexampled progress that all our citizens are equal before the law, and when one of our citizens is dishonored abroad unjustly our Government to that extent is dishonored. It is in the spirit involved in this thought that this matter should be taken up by our Government. Every citizen in America is a sovereign and every sovereign equal. A large body of our sovereigns are discriminated against, humiliated, insulted, derided, and ostracised and excluded from the rights secured to them by our solemn treaty by one of the great powers of the earth. This is a disgrace to the Government of the United States.

Think of it, sir! One of the men thus humiliated and insulted is a Senator of the United States, one of the most brilliant and accomplished citizens of this Republic. Several of the honorable and most respected and intellectual Members of this body belong to that ancient and honorable race. Tens of thousands of our most honored, respected, influential, and affluent citizens, and hundreds of thousands of our most industrious, peaceable, law-abiding, faithful, and honorable people are classed by a foreign and otherwise friendly power as unfit to travel or sojourn within her borders. As an American Representative, with all the power at my command, I protest.

Mr. Speaker, it is almost beyond belief that the Government of a civilized people in the twentieth century should maintain such barbarous and proscriptive practices, and it is quite beyond belief that the United States of America should submit to it with respect to a great body of her honorable citizens.

How loud would be the protests and clamor if Episcopalians or Catholics or Presbyterians or Methodists, being citizens of the United States, were excluded by Russia simply because of their religious belief! The nation would instantly be in a ferment, amounting almost to war. And now, sir, why should not our Government, with great respect, but firmly and resolutely, insist—not simply urge but insist—that our citizens of the Hebrew faith shall have equal, absolutely equal, rights or break off all treaty connections? Is it because they are dangerous citizens? No. To their everlasting honor be it said there are no anarchists of Jewish faith, no plotters against human kind, nor even against human governments.

The Constitution and laws of the United States hold sacred the religious belief of the citizen, and the full power of the Government should be exerted to protect him in that belief and to preserve that peculiar sacredness and to save it from degradation and insult in whatever part of the world he may be. The name Jew or Gentile does not appear in the Russian treaty, and the Russian Government has no right to proscribe the one and admit the other when both are alike citizens of the United States and entitled to all the protection of our laws and treaties.

It may be no concern of ours if Russia deliberately chooses to continue a course of bigotry and religious hatred so far as the administration of her internal affairs is concerned, but when she bids defiance to the Great Seal of the United States upon our passports and flings it back in the faces of our sovereign citizens, solely because of their religious belief, it is time for our Government to make representations to the Russian Government so strong, so clear, and so convincing as to produce a change.

There has never been a time in our history so opportune, so appropriate as the present. Not that we would take advantage of Russia's present trouble, but she is ostentatiously seeking our friendship. Let her then show herself friendly. Let her at least seek to understand the fundamental genius of our institutions; let her at least comprehend that each one of our honest and law-abiding citizens stands upon the same plane with every other and is entitled to the same privileges, both at home and abroad.

Mr. Speaker, I sincerely hope and trust that the resolution of the honorable gentleman from New York [Mr. GOLDFOGLE] will be reported favorably by the Committee on Foreign Affairs, that we shall unanimously adopt the same in this House, and that in compliance with the letter and the spirit thereof the President will proceed to carry out its mandate.

And, Mr. Speaker, as in the case of the treaty with Russia, so with our treaties with all of the other powers of the earth which stand in the way of our adopting the discriminating-duty plan for the relief of our merchant marine. It is a reasonable justification for the denouncement of those treaties under the terms thereof severally, that those treaties have proved an injury to one of the greatest and most important of our industries, and that it is essential to our prosperity and well-being that we should resume at least one-half of our carrying trade. The discriminating-duty plan would result in building up a profitable business for our ships, while the present bill takes money out of the Treasury to pay them for running light.

The SPEAKER. The question is on agreeing to the amendment reported by the committee as a substitute.

Mr. GROSVENOR. I ask the House to defeat that amendment.

The question being taken, the amendment was rejected.

Mr. LUCKING. There was such a noise just now when the vote was being taken that we did not understand what was the effect of the vote.

The SPEAKER. The vote was upon the amendment proposed by the committee to this bill, striking out all after the enacting clause and inserting as a substitute what was read. Upon the vote that amendment was disagreed to.

Mr. GROSVENOR. And now the question recurs on the third reading of the Senate bill.

The SPEAKER. The question recurs on ordering the Senate bill to a third reading.

Mr. LUCKING. When will the vote be taken on my amendment?

The SPEAKER. The gentleman's amendment is not pending.

Mr. LUCKING. I asked unanimous consent that the amendment, which the gentleman from Ohio assured me should be considered, might be submitted.

Mr. GROSVENOR. Why, Mr. Speaker, that has been submitted and voted down.

Mr. LUCKING. When?

Mr. GROSVENOR. Now; it has been voted out of the bill.

Mr. LUCKING. Let us have a clear statement of this matter; we have plenty of time. I do not understand the effect of the vote just taken.

Mr. WILLIAMS of Illinois. Give us a fair deal.

Mr. LUCKING. The Speaker will do that. I am simply inquiring as to the parliamentary situation.

The SPEAKER. The Chair does not quite understand what his colleague [Mr. WILLIAMS of Illinois] means by "a fair deal." [Laughter.]

Mr. WILLIAMS of Illinois. I beg pardon; I was addressing the gentleman from Ohio; that is all.

The SPEAKER. If there be no objection, the Clerk will again read the committee amendment for the instruction of the House.

The amendment reported by the committee, to strike out all after the enacting clause and insert a substitute, was again read.

The SPEAKER. The amendment just read to the House, known as the committee amendment, has just been voted on and rejected.

Mr. LUCKING. That leaves the Senate bill?

The SPEAKER. Precisely.

Mr. LUCKING. Now, I ask unanimous consent——

The SPEAKER. The question is now upon ordering the Senate bill to a third reading, and the previous question is operating.

Mr. LUCKING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LUCKING. To ask unanimous consent to submit the amendment marked, I think, No. 3 or 4, relating to the nativity of seamen engaged on United States vessels.

The SPEAKER. The gentleman from Michigan [Mr. LUCKING] asks unanimous consent to submit an amendment.

Mr. GROSVENOR. I object. We can not go into the Chinese question to-night.

The SPEAKER. The gentleman from Ohio objects.

Mr. SULZER. I rise to a parliamentary inquiry. I move to recommit the bill with instructions.

The SPEAKER. Oh, the gentleman has not the floor for that purpose, and the bill is not in a recommittable stage. [Laughter.]

The question being taken on ordering the bill to a third reading, it was agreed to, there being on a division—ayes 136, noes 99.

The bill was accordingly read the third time.

The SPEAKER. The question is now on the passage of the bill.

Mr. LUCKING. Mr. Speaker, can I be recognized now for the purpose of moving to recommit the bill with instructions?

The SPEAKER. The gentleman is not recognized.

Mr. GROSVENOR. I move to recommit the bill.

Mr. SMITH of Kentucky. Mr. Speaker, I rise to a point of order. The gentleman from Michigan [Mr. LUCKING] had risen from his place and addressed the Chair.

The SPEAKER. The gentleman from Michigan addressed the Chair, but he was not recognized for the purpose he stated. He was informed by the Chair that he was not. Recognition is now due, under all the rules, to the gentleman in charge of the bill; and, therefore, the Chair has recognized the gentleman from Ohio [Mr. GROSVENOR].

Mr. LUCKING. Mr. Speaker, a parliamentary inquiry, in perfect respect to the Chair.

The SPEAKER. Certainly, and the Chair responds with perfect respect to the gentleman.

Mr. LUCKING. Was not that rule of this House adopted for the purpose of giving the opposition an opportunity to test some questions?

The SPEAKER. Not at all——

Mr. LUCKING. It would seem as if the object of the rule was something of that kind.

The SPEAKER. The object of the rule was to give the House a chance to cure a mistake, if perchance any had been made in the engrossment of a bill, or a mishap to it. The debate from time to time, as the Chair recalls it, has been along that line. The Chair wishes to be perfectly fair to the gentleman. The present occupant of the chair, the Speaker of the House, follows the usual rule that has obtained ever since he has been a Member of the House, that the Chair chooses whom he will recognize. That is the universal rule.

Mr. LUCKING. When only one——

The SPEAKER. According to the parliamentary usages. In a body of 386 men it would be impossible to proceed in a practical way and do otherwise, and the Chair will go further and say to the gentleman, to be exactly fair to him, that other things being even, or anything near even, if there be a question, under present conditions, in the closing hours, the Chair has a perfect right, following the parliamentary precedents of all parties, to prefer some one with whom, perchance, the Chair is in sympathy, or upon the Chair's side of the House.

The gentleman from Ohio [Mr. GROSVENOR] is recognized.

Mr. GROSVENOR. I move to recommit the bill, and upon that I demand the previous question.

The SPEAKER. The gentleman from Ohio moves to recommit the bill, and upon that moves the previous question.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. LUCKING demanded a division.

The House divided; and there were—ayes 128, noes 104.

Mr. SMITH of Kentucky. Tellers, Mr. Speaker.

Mr. CURTIS and others demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 127, nays 99, answered "present" 18, not voting 137, as follows:

YEAS—127.

Acheson,	Dresser,	Knapp,	Parker,
Adams, Pa.	Driscoll,	Knopf,	Patterson, Pa.
Adams, Wis.	Dunwell,	Kyle,	Payne,
Alexander,	Dwight,	Lacey,	Porter,
Allen,	Esch,	Landis, Chas. B.	Powers, Mass.
Babcock,	Evans,	Lanning,	Reeder,
Bartholdt,	Flack,	Lawrence,	Roberts,
Bates,	Fordney,	Lilley,	Rodenberg,
Beidler,	Foster, Vt.	Littlefield,	Shiras,
Bingham,	French,	Loud,	Smith, Ill.
Birdsall,	Gaines, W. Va.	Loudenslager,	Smith, Iowa
Bishop,	Gardner, N. J.	Lovering,	Smith, Samuel W.
Bonynge,	Gillet, N. Y.	McCall,	Smith, Pa.
Boutell,	Gillett, Mass.	McCleary, Minn.	Southard,
Bowersock,	Goebel,	McCreary, Pa.	Southwick,
Brandegee,	Graff,	McLachlan,	Spalding,
Brick,	Greene,	McMorran,	Steenerson,
Brooks,	Grosvenor,	Mahon,	Sterling,
Brown, Wis.	Hamilton,	Marsh,	Stevens, Minn.
Burke,	Haskins,	Marshall,	Tawney,
Burkett,	Haugen,	Martin,	Thomas, Iowa
Campbell,	Hemenway,	Miller,	Townsend,
Cassel,	Hepburn,	Minor,	Van Voorhis,
Castor,	Hildebrant,	Mondell,	Volstead,
Cooper, Pa.	Hill, Conn.	Moon, Pa.	Vreeland,
Cousins,	Hogg,	Morgan,	Wachter,
Currier,	Howell, N. J.	Needham,	Wanger,
Curtis,	Howell, Utah	Norris,	Weems,
Davis, Minn.	Huff,	Olmsted,	Wiley, N. J.
Deemer,	Hull,	Otis,	Wilson, Ill.
Douglas,	Jones, Wash.	Otjen,	Young.
Draper,	Kinkaid,	Overstreet,	

NAYS—99.

Adamson,	Gillespie,	Lindsay,	Shull,
Baker,	Goldfogle,	Little,	Sims,
Bankhead,	Granger,	Livernash,	Small,
Bassett,	Gregg,	Lloyd,	Smith, Ky.
Beall, Tex.	Hamlin,	Lucking,	Smith, Tex.
Bell, Cal.	Harrison,	McAndrews,	Snook,
Benny,	Hay,	McLain,	Southall,
Bowers,	Henry, Tex.	McNary,	Spight,
Brantley,	Hill, Miss.	Macon,	Stephens, Tex.
Breazeale,	Hitchcock,	Maddox,	Sulzer,
Broussard,	Hopkins,	Maynard,	Tate,
Brundidge,	Houston,	Moon, Tenn.	Taylor,
Burleson,	Howard,	Padgett,	Thayer,
Burnett,	Hughes, N. J.	Page,	Thomas, N. C.
Candler,	Humphreys, Miss.	Patterson, N. C.	Underwood,
Cassingham,	James,	Patterson, Tenn.	Vandiver,
Clark,	Johnson,	Pou,	Van Duzer,
Cowherd,	Jones, Va.	Pujo,	Wallace,
Crowley,	Kehoe,	Rainey,	Webb,
De Armond,	Keliher,	Randell, Tex.	Wiley, Ala.
Dickerman,	Kitchin, Claude	Robinson, Ind.	Williams, Ill.
Field,	Kline,	Ryan,	Wilson, N. Y.
Fitzgerald,	Kluttz,	Scarborough,	Wynn,
Gaines, Tenn.	Lamar, Mo.	Shackleford,	Zenor.
Garner,	Lind,	Sheppard,	

ANSWERED "PRESENT"—18.

Bede,	Dovener,	Mann,	Slayden,
Cockran, N. Y.	Hardwick,	Miers, Ind.	Sullivan, Mass.
Dalzell,	Henry, Conn.	Pierce,	Wade.
Davidson,	Jenkins,	Powers, Me.	
Denny,	Legare,	Ruppert,	

NOT VOTING—137.

Aiken,	Darragh,	Hermann,	Morrell,
Ames,	Davey, La	Hinshaw,	Mudd,
Badger,	Davis, Fla.	Hitt,	Murdock,
Bartlett,	Dayton,	Holliday,	Nevin,
Benton,	Dinsmore,	Hughes, W. Va.	Palmer,
Bowie,	Dixon,	Humphrey, Wash.	Pearre,
Bradley,	Dougherty,	Hunt,	Perkins,
Brown, Pa.	Emerich,	Hunter,	Pinckney,
Brownlow,	Finley,	Jackson, Md.	Prince,
Buckman,	Fitzpatrick,	Jackson, Ohio	Ransdell, La.
Burgess,	Flood,	Kennedy,	Reid,
Burleigh,	Foss,	Ketcham,	Rhea,
Burton,	Foster, Ill.	Kitchin, Wm. W.	Richardson, Ala.
Butler, Mo.	Fowler,	Lafean,	Richardson, Tenn.
Butler, Pa.	Fuller,	Lamar, Fla.	Rider,
Byrd,	Garber,	Lamb,	Rixey,
Calderhead,	Gardner, Mass.	Landis, Frederick	Robb,
Caldwell,	Gardner, Mich.	Lester,	Robertson, La.
Capron,	Gibson,	Lever,	Robinson, Ark.
Clayton,	Gilbert,	Lewis,	Rucker,
Cochran, Mo.	Gillett, Cal.	Littauer,	Russell,
Connell,	Glass,	Livingston,	Scott,
Conner,	Gooch,	Longworth,	Scudder,
Cooper, Tex.	Goulden,	Lorimer,	Sherley,
Cooper, Wis.	Griffith,	McCarthy,	Sherman,
Cromer,	Griggs,	McDermott,	Shober,
Crumpacker,	Gudger,	Mahoney,	Sibley,
Cushman,	Hearst,	Metcalf,	Slemp,
Daniels,	Hedge,	Meyer, La.	Smith, N. Y.
Smith, Wm. Alden	Sullivan, N. Y.	Wadsworth,	Williamson,
Snapp,	Sulloway,	Warner,	Woodyard,
Sparkman,	Swanson,	Warnock,	Wright.
Sperry,	Talbott,	Watson,	
Stafford,	Tirrell,	Weisse,	
Stanley,	Trimble,	Williams, Miss.	

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. SLEMP with Mr. CALDWELL.

Mr. GARDNER of Michigan with Mr. GILBERT.

For the remainder of the day:

Mr. SMITH of New York with Mr. MCDERMOTT.

Mr. BUTLER of Pennsylvania with Mr. SWANSON.

Mr. DALZELL with Mr. BARTLETT.

Mr. GIBSON with Mr. GARBER.

Mr. CAPRON with Mr. SLAYDEN.

Mr. JENKINS with Mr. LAMAR of Florida.

Mr. FOSS with Mr. WILLIAM W. KITCHIN.

Mr. AMES with Mr. RIDER.

Mr. BROWN of Pennsylvania with Mr. FITZPATRICK.

Mr. WRIGHT with Mr. WILLIAMS of Mississippi.

Mr. PALMER with Mr. CLAYTON.

Mr. POWERS of Maine with Mr. RUSSELL.

Mr. LONGWORTH with Mr. SHERLEY.

Mr. BURTON with Mr. RICHARDSON of Tennessee.

Mr. LITTAUER with Mr. LIVINGSTON.

Mr. CALDERHEAD with Mr. BADGER.

Mr. COOPER of Wisconsin with Mr. BENTON.

Mr. HUMPHREY of Washington with Mr. BOWIE.

Mr. LAFEAN with Mr. RANSDELL of Louisiana.

Mr. KENNEDY with Mr. LEWIS.

Mr. MCCARTHY with Mr. RIXEY.

Mr. SCOTT with Mr. RICHARDSON of Alabama.

Mr. WADSWORTH with Mr. SCUDDER.

Mr. WOODYARD with Mr. ROBINSON of Arkansas.

Mr. HEDGE with Mr. STANLEY.

Mr. MORRELL with Mr. COCKRAN of New York, until after recess.

On this bill:

Mr. GARDNER of Massachusetts with Mr. HARDWICK.

Mr. HENRY of Connecticut with Mr. LAMB.

Mr. DIXON with Mr. FINLEY.

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

The SPEAKER pro tempore (Mr. BABCOCK). The question is now on the motion of the gentleman from Ohio, to recommit.

The question was taken; and the Speaker pro tempore announced that the noes seemed to have it.

Mr. SMITH of Kentucky. Division, Mr. Speaker.

The House divided; and there were—ayes 87, noes 124.

Mr. SMITH of Kentucky. Tellers, Mr. Speaker.

Mr. GROSVENOR. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 126, answered "present" 14, not voting 142, as follows:

YEAS—99.

Adamson,	Gillespie,	Little,	Shull,
Baker,	Goldfogle,	Livernash,	Sims,
Bassett,	Granger,	Lloyd,	Small,
Beall, Tex.	Gregg,	Lucking,	Smith, Ky.
Bell, Cal.	Harrison,	McAndrews,	Smith, Tex.
Benny,	Hay,	McLain,	Snook,
Bowers,	Henry, Tex.	McNary,	Southall,
Brantley,	Hill, Miss.	Macon,	Spight,
Breazeale,	Hitchcock,	Maddox,	Stephens, Tex.
Broussard,	Hopkins,	Maynard,	Sulzer,
Brundidge,	Houston,	Moon, Tenn.	Tate,
Burleson,	Howard,	Padgett,	Taylor,
Burnett,	Hughes, N. J.	Page,	Thayer,
Candler,	Humphreys, Miss.	Patterson, N. C.	Thomas, N. C.
Cassingham,	James,	Patterson, Tenn.	Underwood,
Clark,	Johnson,	Pou,	Vandiver,
Cowherd,	Jones, Va.	Pujo,	Van Duzer,
Crowley,	Kehoe,	Rainey,	Wallace,
De Armond,	Keliher,	Randell, Tex.	Webb,
Dickerman,	Kitchin, Claude	Ransdell, La.	Wiley, Ala.
Field,	Kline,	Robinson, Ind.	Williams, Ill.
Finley,	Kluttz,	Ryan,	Wilson, N. Y.
Fitzgerald,	Lamar, Mo.	Scarborough,	Wynn,
Gaines, Tenn.	Lind,	Shackleford,	Zenor.
Garner,	Lindsay,	Sheppard,	

NAYS—126.

Acheson,	Brick,	Deemer,	Gillet, N. Y.
Adams, Pa.	Brooks,	Douglas,	Gillett, Mass.
Adams, Wis.	Brown, Wis.	Draper,	Goebel,
Alexander,	Burke,	Dresser,	Graff,
Allen,	Burkett,	Dunwell,	Greene,
Babcock,	Calderhead,	Dwight,	Grosvenor,
Bates,	Campbell,	Esch,	Hamilton,
Bingham,	Cassel,	Evans,	Haskins,
Birdsall,	Castor,	Flack,	Haugen,
Bishop,	Cooper, Pa.	Fordney,	Hemenway,
Bonynge,	Cousins,	Foster, Vt.	Hildebrant,
Boutell,	Currier,	French,	Hill, Conn.
Bowersock,	Curtis,	Gaines, W. Va.	Hogg.
Brandegee,	Davis, Minn.	Gardner, N. J.	Howell, N. J.

Howell, Utah	McCall,	Otis,	Steenerson,
Huff,	McCarthy,	Otjen,	Sterling,
Hull,	McCleary, Minn.	Overstreet,	Stevens, Minn.
Jones, Wash.	McCreary, Pa.	Parker,	Tawney,
Kinkaid,	McLachlan,	Patterson, Pa.	Thomas, Iowa
Knapp,	McMorran,	Payne,	Townsend,
Knopf,	Mahon,	Porter,	Van Voorhis,
Kyle,	Marsh,	Reeder,	Volstead,
Lacey,	Marshall,	Roberts,	Vreeland
Lafean,	Martin,	Rodenberg,	Wachter,
Landis, Chas. B.	Miller,	Shiras,	Wanger,
Lanning,	Minor,	Smith, Ill.	Weems,
Lawrence,	Mondell,	Smith, Iowa	Wiley, N. J.
Lilley,	Moon, Pa.	Smith, Samuel W.	Wilson, Ill.
Littlefield,	Morgan,	Smith, Pa.	Wright,
Loud,	Needham,	Southard,	Young.
Loudenslager,	Norris,	Southwick,	
Lovering,	Olmsted,	Spalding,	

ANSWERED "PRESENT"—14.

Bede,	Dovener,	Mann,	Sullivan, Mass.
Conner,	Hardwick,	Miers, Ind.	Wade.
Dalzell,	Henry, Conn.	Powers, Me.	
Denny,	Legare,	Ruppert,	

NOT VOTING—142.

Aiken,	Dinsmore,	Jackson, Ohio	Robb,
Ames,	Dixon,	Jenkins,	Robertson, La.
Badger,	Dougherty,	Kennedy,	Robinson, Ark
Bankhead,	Driscoll,	Ketcham,	Rucker,
Bartholdt,	Emerich,	Kitchin, Wm. W.	Russell,
Bartlett,	Fitzpatrick,	Lamar, Fla.	Scott,
Beidler,	Flood,	Lamb,	Scudder,
Benton,	Foss,	Landis, Frederick	Sherley,
Bowie,	Foster, Ill.	Lester,	Sherman,
Bradley,	Fowler,	Lever,	Shober,
Brown, Pa.	Fuller,	Lewis,	Sibley,
Brownlow,	Garber,	Littauer,	Slayden,
Buckman,	Gardner, Mass.	Livingston,	Slemp,
Burgess,	Gardner, Mich.	Longworth,	Smith, Wm. Alden
Burleigh,	Gibson,	Lorimer,	Smith, N. Y.
Burton,	Gilbert,	McDermott,	Snapp,
Butler, Mo.	Gillett, Cal.	Mahoney,	Sparkman,
Butler, Pa.	Glass,	Metcalf,	Sperry,
Byrd,	Gooch,	Meyer, La.	Stafford,
Caldwell,	Goulden,	Morrell,	Stanley,
Capron,	Griffith,	Mudd,	Sullivan, N. Y.
Clayton,	Griggs,	Murdock,	Sulloway,
Cochran, Mo.	Gudger,	Nevin,	Swanson,
Cockran, N. Y.	Hamlin,	Palmer,	Talbott,
Connell,	Hearst,	Pearre,	Tirrell,
Cooper, Tex.	Hedge,	Perkins,	Trimble,
Cooper, Wis.	Hepburn,	Pierce,	Wadsworth,
Cromer,	Hermann,	Pinckney,	Warner,
Crumpacker,	Hinshaw,	Powers, Mass.	Warnock,
Cushman,	Hitt,	Prince,	Watson,
Daniels,	Holliday,	Reid,	Weisse,
Darragh,	Hughes, W. Va.	Rhea,	Williams, Miss.
Davey, La.	Humphrey, Wash.	Richardson, Ala.	Williamson,
Davidson,	Hunt,	Richardson, Tenn.	Woodyard.
Davis, Fla.	Hunter,	Rider,	
Dayton,	Jackson, Md.	Rixey,	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

For this day:

Mr. DIXON with Mr. HAMLIN.

Mr. HEPBURN with Mr. BANKHEAD.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. JAMES. Division, Mr. Speaker.

The House divided; and there were—ayes 115, noes 94.

Mr. ROBINSON of Indiana. Mr. Speaker, I call for tellers. I withdraw the demand.

Mr. DE ARMOND. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 97, answered "present" 18, not voting 142, as follows:

YEAS—124.

Acheson,	Cousins,	Hamilton,	McCall,
Adams, Wis.	Currier,	Haskins,	McCarthy,
Adams, Pa.	Curtis,	Hemenway,	McCleary, Minn.
Alexander,	Davis, Minn.	Henry, Conn.	McCreary, Pa.
Allen,	Deemer,	Hildebrant,	McLachlan,
Babcock,	Douglas,	Hill, Conn.	McMorran,
Bartholdt,	Draper,	Hogg,	Mahon,
Bates,	Dresser,	Howell, N. J.	Marsh,
Beidler,	Driscoll,	Howell, Utah	Marshall,
Bingham,	Dunwell,	Huff,	Martin,
Birdsall,	Dwight,	Hull,	Miller,
Bishop,	Esch,	Jones, Wash.	Minor,
Bonynge,	Evans,	Kinkaid,	Mondell,
Boutell,	Flack,	Knapp,	Moon, Pa.
Bowersock,	Fordney,	Knopf,	Morgan,
Brandegee,	Foster, Vt.	Kyle,	Needham,
Brick,	French,	Lacey,	Norris,
Brooks,	Gaines, W. Va.	Lafean,	Olmsted,
Brown, Wis.	Gardner, N. J.	Landis, Chas. B.	Otis,
Burke,	Gillet, N. Y.	Lanning,	Overstreet,
Burkett,	Gillett, Mass.	Lawrence,	Patterson, Pa.
Calderhead,	Goebel,	Lilley,	Payne,
Cassel,	Graff,	Littlefield,	Porter,
Castor,	Greene,	Loud,	Reeder,
Cooper, Pa.	Grosvenor,	Loudenslager,	Roberts,
Rodenberg,	Southard,	Tawney,	Wachter,
Shiras,	Southwick,	Thomas, Iowa	Weems,
Smith, Ill.	Spalding,	Townsend,	Wiley, N. J.
Smith, Iowa	Steenerson,	Van Voorhis,	Wilson, Ill.
Smith, Samuel W.	Sterling,	Volstead,	Wright,
Smith, Pa.	Stevens, Minn.	Vreeland,	Young.

NAYS—97.

Badger,	Gillespie,	Little,	Sims,
Baker,	Goldfogle,	Livernash,	Small,
Bassett,	Granger,	Lloyd,	Smith, Ky.
Beall, Tex.	Gregg,	Lucking,	Smith, Tex.
Bell, Cal.	Harrison,	McAndrews,	Snook,
Benny,	Hay,	McLain,	Southall,
Bowers,	Henry, Tex.	McNary,	Spight,
Brantley,	Hill, Miss.	Macon,	Stephens, Tex.
Breazeale,	Hitchcock,	Maddox,	Sulzer,
Broussard,	Hopkins,	Maynard,	Tate,
Brundidge,	Houston,	Moon, Tenn.	Thayer,
Burleson,	Hughes, N. J.	Padgett,	Thomas, N. C.
Burnett,	Humphreys, Miss.	Page,	Underwood,
Candler,	James,	Patterson, N. C.	Vandiver,
Cassingham,	Johnson,	Pujo,	Van Duzer,
Clark,	Jones, Va.	Rainey,	Wallace,
Cowherd,	Kehoe,	Randell, Tex.	Webb,
Crowley,	Keliher,	Ransdell, La.	Wiley, Ala.
De Armond,	Kitchin, Claude	Rider,	Williams, Ill.
Dickerman,	Kline,	Robinson, Ind.	Wilson, N. Y.
Field,	Kluttz,	Ryan,	Wynn,
Finley,	Lamar, Mo.	Scarborough,	Zenor.
Fitzgerald,	Lamb,	Shackleford,	
Gaines, Tenn.	Lind,	Sheppard,	
Garner,	Lindsay,	Shull,	

ANSWERED "PRESENT"—18.

Bede,	Denny,	Mann,	Sullivan, Mass.
Campbell,	Dovener,	Miers, Ind.	Wade,
Cochran, Mo.	Hardwick,	Powers, Me.	Wanger.
Conner,	Haugen,	Ruppert,	
Dalzell,	Jackson, Ohio	Slayden,	

NOT VOTING—142.

Adamson,	Emerich,	Kitchin, Wm. W.	Robb,
Aiken,	Fitzpatrick,	Lamar, Fla.	Robertson, La.
Ames,	Flood,	Landis, Frederick	Robinson, Ark.
Bankhead,	Foss,	Legare,	Rucker,
Bartlett,	Foster, Ill.	Lester,	Russell,
Benton,	Fowler,	Lever,	Scott,
Bowie,	Fuller,	Lewis,	Scudder,
Bradley,	Garber,	Littauer,	Sherley,
Brown, Pa.	Gardner, Mass.	Livingston,	Sherman,
Brownlow,	Gardner, Mich.	Longworth,	Shober,
Buckman,	Gibson,	Lorimer,	Sibley,
Burgess,	Gilbert,	Lovering,	Slemp,
Burleigh,	Gillett, Cal.	McDermott,	Smith, Wm. Alden
Burton,	Glass,	Mahoney,	Smith, N. Y.
Butler, Mo.	Gooch,	Metcalf,	Snapp,
Butler, Pa.	Goulden,	Meyer, La.	Sparkman,
Byrd,	Griffith,	Morrell,	Sperry,
Caldwell,	Griggs,	Mudd,	Stafford,
Capron,	Gudger,	Murdock,	Stanley,
Clayton,	Hamlin,	Nevin,	Sullivan, N. Y.
Cockran, N. Y.	Hearst,	Otjen,	Sulloway,
Connell,	Hedge,	Palmer,	Swanson,
Cooper, Tex.	Hepburn,	Parker,	Talbott,
Cooper, Wis.	Hermann,	Patterson, Tenn.	Taylor,
Cromer,	Hinshaw,	Pearre,	Tirrell,
Crumpacker,	Hitt,	Perkins,	Trimble,
Cushman,	Holliday,	Pierce,	Wadsworth,
Daniels,	Howard,	Pinckney,	Warner,
Darragh,	Hughes, W. Va.	Pou,	Warnock,
Davey, La.	Humphrey, Wash.	Powers, Mass.	Watson,
Davidson,	Hunt,	Prince,	Weisse,
Davis, Fla.	Hunter,	Reid,	Williams, Miss
Dayton,	Jackson, Md.	Rhea,	Williamson,
Dinsmore,	Jenkins,	Richardson, Ala.	Woodyard.
Dixon,	Kennedy,	Richardson, Tenn.	
Dougherty,	Ketcham,	Rixey,	

So the bill was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. WANGER with Mr. ADAMSON.

For the balance of the day:

Mr. LOVERING with Mr. PATTERSON of Tennessee.

Mr. CAMPBELL with Mr. POU.

For the vote:

Mr. HAUGEN with Mr. GRIGGS.

The result of the vote was announced as above recorded.

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

EUGENE PATENAUDE.

The SPEAKER laid before the House the bill (H. R. 4573) for the relief of Eugene Patenaude, with Senate amendments.

The Senate amendments were read.

On motion of Mr. FOSTER of Vermont, the Senate amendments were agreed to.

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

USE OF COLORADO RIVER FOR IRRIGATION PURPOSES.

The SPEAKER. The Chair lays before the House the following Senate joint resolution, which the Clerk will report, a similar resolution from the House committee being upon the Calendar.

The Clerk read as follows:

Senate joint resolution (S. R. 71) requesting the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

Resolved, etc., That the Secretary of the Interior is hereby directed to institute an investigation of and report to the Congress on the various questions involved in connection with the use of the waters of the lower Colorado River for the irrigation of arid lands in the State of California and the Territory of Arizona with the view of determining the extent to which the waters of the said stream may be made available for the said purpose through works under the national irrigation act and by private enterprise, and as to what legislation, if any, is necessary to grant or confirm to present and future appropriators and users thereof perpetual rights in the use of said waters for irrigation.

The SPEAKER. The question is on agreeing to the resolution.

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

The SPEAKER. Without objection, a motion to reconsider the last vote will be laid upon the table.

There was no objection.

ACCEPTING BUST OF WASHINGTON FROM COUNT DE ROCHAMBEAU AND OTHERS.

Mr. McCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution No. 36, accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas Count de Rochambeau, Marquis de Lafayette, Marquis de Grasse, Mr. Henry Jouin, and other citizens of France, have tendered to the Government of the United States a reproduction of the bust of Washington by David d'Angers which was destroyed in the fire at the Capitol in 1851, to be placed in the Capitol of the United States: Therefore,

Resolved, etc., That said gift is hereby accepted in the name of the people of the United States, and the thanks of Congress are tendered to the donors therefor.

SEC. 2. That the Joint Committee on the Library are hereby instructed to make arrangements for the formal presentation of said gift to Congress on a day to be hereafter fixed by said committee, and that said committee shall cause said bust to be placed in an appropriate and conspicuous place in the Capitol building.

SEC. 3. That the Secretary of State be directed to transmit a copy of this joint resolution to the donors, through the Government of the French Republic.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate joint resolution.

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

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

MEXICAN COTTON-BOLL WEEVIL.

Mr. CHARLES B. LANDIS. Mr. Speaker, I call up the privileged House resolution No. 355, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, to be distributed through the document room of the House, 3,000 additional copies of Bulletin No. 45, Division of Entomology, United States Department of Agriculture, entitled "The Mexican Cotton-Boll Weevil."

The SPEAKER. The question is on agreeing to the resolution.

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

SIOUX TRIBE OF INDIANS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I call up the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, for distribution through the House document room, 2,000 copies of public law No. 148, Fifty-eighth Congress, second session.

Mr. SMITH of Kentucky. Mr. Speaker, I desire to inquire what particular law this is.

Mr. CHARLES B. LANDIS. Mr. Speaker, I will state that this provides for the publication of an agreement with the Sioux tribe of Indians recently made, and for which there is great demand on the Indian Committee and upon the Commissioner of Indian Affairs.

Mr. SMITH of Kentucky. I would ask the gentleman if there is any objection to distributing these from the folding room instead of from the document room.

Mr. CHARLES B. LANDIS. I do not know that there is any particular objection to distributing them from the folding room.

Mr. LACEY. Mr. Speaker, I will state that there are only a few localities where they are wanted, some localities wanting a large number of them, while many will not want any.

Mr. SMITH of Kentucky. That is all right. I have no objection.

The SPEAKER. The question is on agreeing to the resolution.

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

PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents," which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That chapter 23 of the Statutes of the United States entitled "An act providing for public printing and binding and the distribution of public documents," approved January 12, 1895 (Stat. L., 28, p. 606), be, and is hereby, amended as follows:

In paragraph 20 of section 73, strike out the words "to the Department of Labor, 5 copies," and insert after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, 300 copies."

In paragraph 24 of section 73, strike out the words "to the Department of Labor, 5 copies," and insert after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, including those for the officers of the Immigration Service, 300 copies."

In paragraph 68 of section 73, strike out the words "to the Department of Labor, four copies;" and also the words "to the Commissioner of Fish and Fisheries, two copies;" and insert after the words "to the Department of Agriculture, fifteen copies," the words "to the Department of Commerce and Labor, 150 copies."

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Reserving the right to object, I should like to ask the gentleman from Indiana [Mr. CHARLES B. LANDIS] what publications this has reference to.

Mr. CHARLES B. LANDIS. This provides simply for furnishing to the Department of Commerce and Labor the statutes of the sessions of Congress and the volumes of the Statutes at Large, the official register, and other publications that this Department ought to have as other Departments have.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. CHARLES B. LANDIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

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

H. R. 12268. An act granting an increase of pension to Jane K. Carpenter.

H. R. 12197. An act granting an increase of pension to Daniel M. Candor;

H. R. 12177. An act granting an increase of pension to Isaac W. Waters;

H. R. 12006. An act granting an increase of pension to Amelia Coster;

H. R. 11827. An act granting an increase of pension to Daniel Smith;

H. R. 11486. An act granting an increase of pension to Samuel B. Loewenstine;

H. R. 11397. An act granting an increase of pension to William Leonard;

H. R. 11374. An act granting an increase of pension to William Wells;

H. R. 11336. An act granting an increase of pension to Samuel R. Hazen;

H. R. 11335. An act granting an increase of pension to John Trader;

H. R. 11262. An act granting a pension to John Hegarty;

H. R. 11086. An act granting an increase of pension to Charles W. Crary;

H. R. 10846. An act granting an increase of pension to Heinrich Erbstoeser;

H. R. 11013. An act granting an increase of pension to William Flaig;

H. R. 10851. An act granting an increase of pension to Nancy Smallwood;

H. R. 10334. An act granting an increase of pension to John S. Allison;

H. R. 10285. An act granting an increase of pension to Henry McCreary;

H. R. 10284. An act granting a pension to Elizabeth Broomall;

H. R. 10029. An act granting a pension to Charles E. Arnett;

H. R. 9901. An act granting a pension to John M. Stoner;

H. R. 9623. An act granting an increase of pension to Robert H. Betts;

H. R. 9477. An act granting an increase of pension to George Smith;

H. R. 9394. An act granting an increase of pension to Mary Leffler;
H. R. 9365. An act granting an increase of pension to John S. Edgar;
H. R. 9354. An act granting an increase of pension to John Richmond;
H. R. 9338. An act granting an increase of pension to Solon D. Moore;
H. R. 9107. An act granting a pension to Margaret J. Randolph;
H. R. 8716. An act granting an increase of pension to Peter Crenger;
H. R. 8280. An act granting an increase of pension to James A. Morrison;
H. R. 9497. An act granting a pension to Emma A. Webster;
H. R. 7373. An act granting a pension to Harriet J. Woodbury;
H. R. 7145. An act granting an increase of pension to Ambrose L. Hendee;
H. R. 7085. An act granting an increase of pension to William Spiegelberg;
H. R. 6718. An act granting an increase of pension to James E. Phillips;
H. R. 6537. An act granting an increase of pension to Benjamin F. Hawthorn;
H. R. 6338. An act granting an increase of pension to Antoinette I. Sawyer;
H. R. 6182. An act granting a pension to Erastus J. Horton;
H. R. 6111. An act granting an increase of pension to Edwin A. Morris;
H. R. 5829. An act granting an increase of pension to Thomas Ellmaker;
H. R. 5725. An act granting a pension to Grace Dressel;
H. R. 5711. An act granting an increase of pension to Jacob Chronister;
H. R. 5565. An act granting a pension to Eliza Workman;
H. R. 5309. An act granting an increase of pension to John McConnell;
H. R. 5012. An act granting an increase of pension to Jacob Reitzel;
H. R. 4903. An act granting an increase of pension to Solomon F. Hallett;
H. R. 4891. An act granting a pension to Julia R. Braxton;
H. R. 4771. An act granting a pension to Aaron Taylor;
H. R. 4602. An act granting an increase of pension to Helim Thompson;
H. R. 4584. An act granting an increase of pension to Daniel A. Butler;
H. R. 4582. An act granting an increase of pension to John S. Miller;
H. R. 4572. An act granting an increase of pension to Peter Lauder;
H. R. 4379. An act granting an increase of pension to Alexander Adams;
H. R. 4152. An act granting an increase of pension to George B. Hartley;
H. R. 3924. An act granting an increase of pension to Ira Waldo;
H. R. 3921. An act granting an increase of pension to Madison C. Staves;
H. R. 3431. An act granting an increase of pension to William Basnett;
H. R. 3107. An act granting an increase of pension to James E. Chappell;
H. R. 3036. An act granting an increase of pension to William H. Romaine;
H. R. 2976. An act granting an increase of pension to Enoch J. Evans;
H. R. 2577. An act granting an increase of pension to Harmon P. Cole;
H. R. 2675. An act granting an increase of pension to Robert J. Tate;
H. R. 2499. An act granting an increase of pension to Smith Bilderbock;
H. R. 2124. An act granting an increase of pension to Henry J. Grannis;
H. R. 1305. An act granting an increase of pension to Gilbert A. Kenney;
H. R. 4398. An act granting a pension to Ellen A. Wilson;
H. R. 1093. An act granting a pension to Rose B. Noa;
H. R. 934. An act granting an increase of pension to Frank Brock;
H. R. 749. An act granting an increase of pension to Humphrey M. Glines;
H. R. 740. An act granting an increase of pension to Ira Meserve;
H. R. 698. An act granting an increase of pension to William M. Crow;
H. R. 487. An act granting an increase of pension to Mary J. Waugh;
H. R. 12348. An act granting an increase of pension to John Pickering;
H. R. 14592. An act granting an increase of pension to Alfred B. Scovill;
H. R. 13000. An act granting an increase of pension to Robert Elliott;
H. R. 12861. An act granting an increase of pension to Bartlett J. Mingus;
H. R. 12702. An act granting an increase of pension to Margaret G. Howarth;
H. R. 12629. An act granting a pension to Ida Diamond;
H. R. 12604. An act granting a pension to Edward M. Fowler;
H. R. 12402. An act granting a pension to Orson Burlingame;
H. R. 14870. An act granting an increase of pension to William Hougendobler;
H. R. 14859. An act granting an increase of pension to Matthias Ridenour;
H. R. 14865. An act granting an increase of pension to Mercy J. Wilder;
H. R. 14802. An act granting an increase of pension to Thomas C. Wiley;
H. R. 14801. An act granting a pension to John W. Shrader;
H. R. 14747. An act granting an increase of pension to Symphoroso Bartley;
H. R. 14702. An act granting a pension to Mary E. Dunford;
H. R. 14641. An act granting a pension to Allan Dunning;
H. R. 14640. An act granting an increase of pension to Caroline McGimsey;
H. R. 14639. An act granting an increase of pension to Joseph J. Mead;
H. R. 14638. An act granting an increase of pension to Park Avery;
H. R. 14637. An act granting an increase of pension to William Kimbrough;
H. R. 14631. An act granting a pension to William T. Spencer;
H. R. 14636. An act granting an increase of pension to James R. Fletcher;
H. R. 14630. An act granting a pension to Augustus Finley, now known as Davis;
H. R. 14612. An act granting an increase of pension to Myron Imas;
H. R. 14611. An act granting a pension to William L. Beverly;
H. R. 14578. An act granting a pension to Edward Taylor;
H. R. 14572. An act granting an increase of pension to Alexander P. Nelson;
H. R. 14541. An act granting an increase of pension to Azariah S. Elwood;
H. R. 14531. An act granting an increase of pension to Prince A. Gatchell;
H. R. 14524. An act granting a pension to Jennie A. Brown;
H. R. 14521. An act granting an increase of pension to Samuel H. Phillips;
H. R. 14512. An act granting an increase of pension to Thomas L. Sweeney;
H. R. 14511. An act granting an increase of pension to Robert R. Keys;
H. R. 14508. An act granting an increase of pension to John Brady;
H. R. 14490. An act granting an increase of pension to Degraphenreed P. McKinley;
H. R. 14484. An act granting an increase of pension to Charles W. Lee;
H. R. 14464. An act granting an increase of pension to Elizabeth B. Yount;
H. R. 14437. An act granting an increase of pension to Daniel White;
H. R. 14343. An act granting an increase of pension to William Neuberg;
H. R. 14336. An act granting an increase of pension to Everton J. Conger;
H. R. 14308. An act granting an increase of pension to Archie C. Fisk;
H. R. 14201. An act granting an increase of pension to James W. Smith;
H. R. 14204. An act granting a pension to John B. Hobday;
H. R. 14153. An act granting an increase of pension to Peter C. Wood;
H. R. 14141. An act granting an increase of pension to King Kerley;
H. R. 14001. An act granting an increase of pension to Leslie C. Armour;
H. R. 13911. An act granting an increase of pension to Calvin Hitt;

H. R. 13886. An act granting an increase of pension to Thomas Mahers;
H. R. 13816. An act granting a pension to Annie Hynes;
H. R. 13805. An act granting a pension to Emma W. Hays;
H. R. 13690. An act granting an increase of pension to Cephas H. John;
H. R. 13636. An act granting a pension to George S. Noland;
H. R. 13605. An act granting an increase of pension to Elizabeth E. Conatt;
H. R. 13586. An act granting an increase of pension to Abraham Harris;
H. R. 13490. An act granting an increase of pension to Henry Good;
H. R. 13437. An act granting a pension to William P. Crawford;
H. R. 13404. An act granting a pension to Emanuel Peck;
H. R. 13391. An act granting an increase of pension to Garret I. Post;
H. R. 13373. An act granting an increase of pension to William W. Dennis;
H. R. 13347. An act granting an increase of pension to William C. Crumbaugh;
H. R. 13272. An act granting a pension to Delana A. Lynch;
H. R. 13173. An act granting an increase of pension to Mary E. Houghton;
H. R. 15204. An act granting an increase of pension to Mary Taggart;
H. R. 15183. An act granting a pension to Ella F. Kennealy;
H. R. 15148. An act granting an increase of pension to Armour W. Patterson;
H. R. 15126. An act granting an increase of pension to Joseph A. Cox;
H. R. 15076. An act granting an increase of pension to Lawrence Le Bron;
H. R. 14992. An act granting a pension to Phebe A. Daw;
H. R. 14938. An act granting a pension to Francis Rogers;
H. R. 14894. An act granting an increase of pension to John Gideon;
H. R. 14890. An act granting an increase of pension to Allen R. Harris;
H. R. 14884. An act granting an increase of pension to William Huffman;
H. R. 14882. An act granting a pension to Mary Dingler;
H. R. 14876. An act granting an increase of pension to Francis Stadler, jr.; and
H. J. Res. 29. Joint resolution providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The message also announced that the Senate had passed, with amendments, bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 9773. An act granting an increase of pension to Absalom Shilts;
H. R. 13592. An act granting an increase of pension to Stephen M. Ferguson; and
H. R. 13481. An act to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect.

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. 12883. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes;
H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes;
H. R. 14093. An act to incorporate the Carnegie Institution of Washington;
H. R. 940. An act granting a pension to Oscar M. Parsons;
H. R. 10077. An act granting a pension to Julia A. Henderson;
H. R. 7718. An act for the relief of the estate of Artemus E. Gibson;
H. J. Res. 136. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers;
H. R. 6049. An act granting an increase of pension to Peter B. Phillips;
H. J. Res. 150. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle; and
H. R. 7056. An act creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2710. An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;
S. 2134. An act to connect Euclid place with Erie street;
S. 2621. An act for the widening of V street NW.; and
S. 127. An act authorizing the joining of Kalorama avenue.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 8285. An act granting an increase of pension to William S. Peck;
H. R. 13936. An act granting an increase of pension to John W. Thomas;
H. R. 12666. An act granting an increase of pension to Henry E. W. Campbell;
H. R. 14491. An act granting an increase of pension to Eli Prebble;
H. R. 14700. An act granting an increase of pension to H. C. Washburn;
H. R. 8790. An act granting a pension to C. Annette Buckel;
H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;
H. R. 14944. An act establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.;
H. R. 14533. An act to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;
H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford;
H. R. 8421. An act for the relief of Russel A. McKinley;
H. R. 1953. An act to provide for an additional associate justice of the supreme bench of the Territory of New Mexico;
H. R. 14673. An act to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes;
H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and
H. R. 12883. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

INDIANS RESIDING ON SHOSHONE RESERVATION, WYO.

The SPEAKER laid before the House, with Senate amendments, the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming.

Mr. MONDELL. I move that the House concur in the amendments of the Senate.

Mr. FITZGERALD. I raise the question of consideration on this motion.

Mr. SULZER. Let us have the amendments read.

The SPEAKER. Without objection, the amendments will be read.

The Clerk read the amendments.

Mr. FITZGERALD. Does one of these amendments strike out the provision for filing the written consent of the Indians?

Mr. MONDELL. It does.

Mr. FITZGERALD. Very well; I insist on my motion.

Mr. MONDELL. Allow me to explain to the gentleman that the Indians have agreed to this treaty——

Mr. FITZGERALD. This bill passed the House by unanimous consent. There was no objection from me, because this amendment was inserted by the Indian Committee; and I will——

Mr. MONDELL. Will the gentleman allow me to explain the situation?

Mr. FITZGERALD. I understand the situation perfectly well.

Mr. MONDELL. Major McLaughlan has recently been to the reservation and made a treaty with the Indians, and we have a message giving us the two particulars in which the agreement differs from the bill. We have changed the bill in accordance with those two changes, so that the bill now corresponds with the agreement adopted by the Indians.

Mr. FITZGERALD. My understanding, based upon information received from the Department of the Interior, differs from the statement made by the gentleman. Without, of course, impugning the gentleman's veracity, I must insist on my motion.

The SPEAKER. The gentleman from New York raises the question of consideration.

The question being taken whether the motion of Mr. MONDELL should be considered, there were—ayes 132, noes 116.

Mr. FITZGERALD. I ask for tellers.

Tellers were ordered; and Mr. MONDELL and Mr. FITZGERALD were appointed.

The House again divided; and the tellers reported—ayes 96, noes 76.

Mr. FITZGERALD. I make the point of order that there is no quorum present.

The SPEAKER (having counted the House). There are 198 Members present—a quorum.

Mr. FITZGERALD. I ask for tellers.

The SPEAKER. The gentleman can not have tellers on the point of no quorum.

Mr. FITZGERALD. Then I ask for the yeas and nays on the question of consideration.

The yeas and nays were ordered, 48 Members voting in favor thereof.

The question was taken; and there were—yeas 100, nays 76, answered "present" 20, not voting 186, as follows:

YEAS—100.

Acheson,	French,	Lilley,	Porter,
Adams, Wis.	Gaines, W. Va.	Littlefield,	Reeder,
Allen,	Gardner, N. J.	Loud,	Roberts,
Babcock,	Goebel,	Loudenslager,	Rodenberg,
Bartholdt,	Graff,	Lovering,	Smith, Iowa
Bates,	Greene,	McCleary, Minn.	Smith, Samuel W.
Beidler,	Hamilton,	McCreary, Pa.	Southard,
Bingham,	Haskins,	McMorran,	Southwick,
Birdsall,	Hemenway,	Mahon,	Spalding,
Bishop,	Henry, Conn.	Mann,	Steenerson,
Bonynge,	Hepburn,	Marsh,	Stephens, Tex.
Brandegee,	Hildebrant,	Marshall,	Sterling,
Brooks,	Hogg,	Martin,	Stevens, Minn.
Burke,	Howell, Utah	Miller,	Tawney,
Calderhead,	Hull,	Minor,	Thomas, Iowa
Cassel,	Jones, Wash.	Mondell,	Townsend,
Cooper, Pa.	Kinkaid,	Needham,	Van Duzer,
Cousins,	Knapp,	Norris,	Van Voorhis,
Currier,	Knopf,	Olmsted,	Volstead,
Davis, Minn.	Kyle,	Otis,	Vreeland,
Deemer,	Lacey,	Otjen,	Webb,
Dresser,	Lafean,	Overstreet,	Wilson, Ill.
Dunwell,	Lamb,	Padgett,	Wright,
Esch,	Landis, Chas. B.	Parker,	Young,
Fordney,	Lanning,	Payne,	The Speaker.

NAYS—76.

Badger,	Flood,	Keliher,	Robinson, Ind.
Baker,	Gaines, Tenn.	Kitchin, Claude	Ryan,
Bassett,	Gillespie,	Kluttz,	Scarborough,
Beall, Tex.	Goldfogle,	Lamar, Mo.	Shackleford,
Benny,	Granger,	Lind,	Sheppard,
Bowers,	Gregg,	Lindsay,	Sims,
Brantley,	Hardwick,	Little,	Smith, Ky.
Breazeale,	Harrison,	Livernash,	Smith, Tex.
Broussard,	Hay,	Lloyd,	Snook,
Brundidge,	Henry, Tex.	Lucking,	Southall,
Burleson,	Hill, Miss.	McAndrews,	Sulzer,
Burnett,	Hopkins,	McNary,	Tate,
Candler,	Houston,	Macon,	Thomas, N. C.
Clark,	Hughes, N. J.	Moon, Tenn.	Underwood,
Cowherd,	Humphreys, Miss.	Page,	Vandiver,
Crowley,	James,	Patterson, N. C.	Wallace,
De Armond,	Johnson,	Randell, Tex.	Williams, Ill.
Finley,	Jones, Va.	Ransdell, La.	Wynn,
Fitzgerald,	Kehoe,	Rider,	Zenor.

ANSWERED "PRESENT"—20.

Adamson,	Denny,	Legare,	Ruppert,
Bell, Cal.	Dovener,	Morrell,	Small,
Campbell,	Goulden,	Patterson, Pa.	Smith, N. Y.
Cochran, Mo.	Haugen,	Powers, Me.	Sullivan, Mass.
Davidson,	Jackson, Ohio	Pujo,	Wade.

NOT VOTING—186.

Adams, Pa.	Castor,	Field,	Hill, Conn.
Aiken,	Clayton,	Fitzpatrick,	Hinshaw,
Alexander,	Cockran, N. Y.	Flack,	Hitchcock,
Ames,	Connell,	Foss,	Hitt,
Bankhead,	Conner,	Foster, Ill.	Holliday,
Bartlett,	Cooper, Tex.	Foster, Vt.	Howard.
Bede,	Cooper, Wis.	Fowler,	Howell, N. J.
Benton,	Cromer,	Fuller,	Huff,
Boutell,	Crumpacker,	Garber,	Hughes, W. Va.
Bowersock,	Curtis,	Gardner, Mass.	Humphrey, Wash.
Bowie,	Cushman,	Gardner, Mich.	Hunt,
Bradley,	Dalzell,	Garner,	Hunter,
Brick,	Daniels,	Gibson,	Jackson, Md.
Brown, Pa.	Darragh,	Gilbert,	Jenkins,
Brown, Wis.	Davey, La.	Gillet, N. Y.	Kennedy,
Brownlow,	Davis, Fla.	Gillett, Cal.	Ketcham.
Buckman,	Dayton,	Gillett, Mass.	Kitchin, Wm. W.
Burgess,	Dickerman,	Glass,	Kline,
Burkett,	Dinsmore,	Gooch,	Lamar, Fla.
Burleigh,	Dixon,	Griffith,	Landis, Frederick
Burton,	Dougherty,	Griggs,	Lawrence,
Butler, Mo.	Douglas,	Grosvenor,	Lester,
Butler, Pa.	Draper,	Gudger,	Lever,
Byrd,	Driscoll,	Hamlin,	Lewis,
Caldwell,	Dwight,	Hearst,	Littauer,
Capron,	Emerich,	Hedge,	Livingston,
Cassingham,	Evans,	Hermann,	Longworth,
Lorimer,	Perkins,	Sherman,	Taylor,
McCall,	Pierce,	Shiras,	Thayer,
McCarthy,	Pinckney,	Shober,	Tirrell,
McDermott,	Pou,	Shull,	Trimble,
McLachlan,	Powers, Mass.	Sibley,	Wachter,
McLain,	Prince,	Slayden,	Wadsworth,
Maddox,	Rainey,	Slemp,	Wanger,
Mahoney,	Reid,	Smith, Ill.	Warner,
Maynard,	Rhea,	Smith, Wm. Alden	Warnock,
Metcalf,	Richardson, Ala.	Smith, Pa.	Watson,
Meyer, La.	Richardson, Tenn.	Snapp,	Weems,
Miers, Ind.	Rixey,	Sparkman,	Weisse,
Moon, Pa.	Robb,	Sperry,	Wiley, Ala.
Morgan,	Robertson, La.	Spight,	Wiley, N. J.
Mudd,	Robinson, Ark.	Stafford,	Williams, Miss.
Murdock,	Rucker,	Stanley,	Williamson.
Nevin,	Russell,	Sullivan, N. Y.	Wilson, N. Y.
Palmer,	Scott,	Sulloway,	Woodyard.
Patterson, Tenn.	Scudder,	Swanson,	
Pearre,	Sherley,	Talbott,	

So the House determined to consider the motion.

The Clerk announced the following additional pairs:

For the session:

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Until further notice:

Mr. CONNER with Mr. WADE.

Mr. BOUTELL with Mr. GRIGGS.

For remainder of day:

Mr. BOWERSOCK with Mr. GARNER.

Mr. BRICK with Mr. GLASS.

Mr. BROWN of Wisconsin with Mr. HITCHCOCK.

Mr. GARDNER of Massachusetts with Mr. MCLAIN.

Mr. HEDGE with Mr. RAINEY.

Mr. CURTIS with Mr. TAYLOR.

Mr. DWIGHT with Mr. THAYER.

Mr. WACHTER with Mr. WILSON of New York.

Mr. EVANS with Mr. SPIGHT.

Mr. WILLIAMSON with Mr. WILEY of Alabama.

Mr. HOWELL of New Jersey with Mr. PATTERSON of Tennessee.

Mr. GILLETT of Massachusetts with Mr. BANKHEAD.

Mr. ADAMS of Pennsylvania with Mr. CASSINGHAM.

Mr. GILLET of New York with Mr. MIERS of Indiana.

Mr. HOLLIDAY with Mr. MAYNARD.

Mr. HILL of Connecticut with Mr. PUJO.

Mr. CASTOR with Mr. MADDOX.

Mr. DRAPER with Mr. KLINE.

Mr. ALEXANDER with Mr. FIELD.

Mr. BURKETT with Mr. SHULL.

On this vote:

Mr. GROSVENOR with Mr. HEARST.

The SPEAKER. The Chair notes the "presents," during the roll call, of the gentleman from Texas [Mr. SLAYDEN] and the gentleman from Iowa [Mr. WADE]. Either of them, under the rule, can vote.

Mr. WADE answered "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker, and he voted "aye."

Mr. GOULDEN. Mr. Speaker, I am paired with the gentleman from New York [Mr. BRADLEY], and I have not heard the pair announced.

The SPEAKER. It was announced earlier in the day.

On this question, the yeas are 100, the nays 76, answering "present" 19, noted as present, the gentleman from Texas [Mr. SLAYDEN], making 196 voting and present, a quorum. The ayes have it, and the motion prevails. The question is on the motion of the gentleman from Wyoming [Mr. MONDELL] that the House concur in the Senate amendments. As many as are in favor will say "aye"——

Mr. FITZGERALD. Mr. Speaker, this motion is to concur in the Senate amendment made to a House bill. This bill provides for the opening of the Shoshone Reservation, in Wyoming——

The SPEAKER. Does the gentleman from Wyoming yield?

Mr. MONDELL. "The gentleman" does not.

Mr. FITZGERALD. The gentleman has not reserved the floor for any purpose.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. FITZGERALD. But the Chair proceeded to put the question, and upon that I asked recognition to debate the question, and was debating it.

The SPEAKER. The Chair wants to be exactly fair with the gentleman. The Chair did not understand that he was recognizing the gentleman for an hour in his own right. The gentleman from Wyoming had been recognized, still holding the floor, and the Chair put the question on agreeing to the motion of the gentleman. Now, the Chair wants to be fair to the gentleman, but can not recognize the gentleman for an hour.

Mr. FITZGERALD. Mr. Speaker, I submit that the gentleman having made his motion, and having made no suggestion——

The SPEAKER. The Chair does not want to perpetrate any

rigid rule or anything that would look like sharp practice on the gentleman, but does not want to place the House at the mercy of the gentleman for an hour, and will not. Does the gentleman yield to the gentleman?

Mr. MONDELL. How much time does the gentleman desire?

Mr. FITZGERALD. I desire to be recognized in my own right.

The SPEAKER. The Chair declines to recognize the gentleman at this time in his own right.

Mr. FITZGERALD. Nobody has asked recognition, and the gentleman has not debated the amendments.

The SPEAKER. The Chair has decided that question, and the power of recognition rests with the Chair.

Mr. FITZGERALD. But, Mr. Speaker——

The SPEAKER. The Chair will not further discuss that question. The Chair declines to recognize the gentleman for an hour.

Mr. FITZGERALD. A parliamentary inquiry.

Mr. DE ARMOND. I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. Is it within the province and authority of the Chair to determine the matter of recognition by the length of time the Member is to be recognized to have?

The SPEAKER. The parliamentary inquiry is plausible, but after all the question is whether it is, in fact, plausible or whether it is substantial. The Chair has the power of recognition, and under the rules of the House there is even no appeal from that power, and under the usages of the House the gentleman from Wyoming has the floor.

Mr. DE ARMOND. What I was asking, Mr. Speaker, when I made the parliamentary inquiry was what, then, did the Chair mean by saying that he could not recognize the gentleman for an hour, if he recognized him at all.

The SPEAKER. Nobody is recognized under the rules of the House, at the present stage, for an hour.

Mr. DE ARMOND. Why, then, did the Speaker say that he would not recognize the gentleman for an hour?

The SPEAKER. Oh, it is a matter of language that boots not. It is perhaps subject to criticism, but it is not substantial. Perhaps the Chair at the hour of half past 12 o'clock may have made a remark that is subject to criticism, but it is not substantial. The gentleman from Wyoming is recognized.

Mr. MONDELL. Does the gentleman want some time?

Mr. HAY. Mr. Speaker, I make a point of order. My point of order is——

Mr. MONDELL. I move the previous question.

Mr. PAYNE. I would suggest to the gentleman that he discuss the question for a few moments, and then move the previous question, and not waste any more time on my colleague from New York.

Mr. HAY. I raise the point of order.

Mr. FITZGERALD. I do not desire time unless I can be recognized in my own right.

The SPEAKER. The gentleman from Virginia will state his point of order.

Mr. HAY. My point of order is that the gentleman from Wyoming had yielded the floor, and the Chair put the question on the Senate amendments.

The SPEAKER. The Chair overrules the point of order, so far as that is concerned. In fact, the point of order is not entertained.

Mr. MONDELL. I do not desire to take the time of the House at this late hour with any long discussion of these amendments. I do not think that is necessary.

The House bill is amended in three particulars. The bill as it passed the House had a provision to the effect that the bill, before going into effect, should be ratified by a majority of the male members of the tribe. That provision of the bill was placed in it at my suggestion. This is a provision which has been placed in but one of the other Indian bills passed by the House this winter.

But at my suggestion, knowing the Indians were favorable to the provision, it was placed in the bill. After the bill passed the House, and before it passed the Senate, an Indian inspector had visited the reservation. He wired the Secretary of the Interior, and I also had a wire from a friend of mine in the locality, saying that the only changes made in the bill were changes relative to the amount of money to be paid for the purchase of live stock and the irrigation of the lands of the Indians.

These changes were made, and the bill as amended is in accordance with the treaty which has been made. It includes all the important features of the treaty, and therefore we struck out the provision in regard to the treaty in the last of the bill. These are the only amendments to the bill, and they have been adopted by the Indians. I move the previous question.

Mr. GAINES of Tennessee. Mr. Speaker, we do not know anything about this bill, except my friend from New York here, and it seems he is cut off. I want to ask the gentleman a question or two.

The SPEAKER. Does the gentleman yield?

Mr. GAINES of Tennessee. You said just now that a friend of yours out in Wyoming wired you that the bill had been changed. What bill?

Mr. MONDELL. The Indian inspector who went out there to the Indians used my bill as the basis.

Mr. GAINES of Tennessee. I wish the Indians out here would stop until we get a little music in here.

Mr. MONDELL. The inspector used my bill as the basis of the treaty.

Mr. GAINES of Tennessee. What bill do you allude to?

Mr. MONDELL. I alluded to this bill.

Mr. GAINES of Tennessee. How did your friend in Wyoming wire you the bill was changed?

Mr. MONDELL. I thought I had explained that to the gentleman. The Indian inspector who went out to the reservation and treated with these Indians took a copy of this bill as a basis of the agreement.

Mr. GAINES of Tennessee. Oh.

Mr. MONDELL. I have information to the effect that the only changes made in the bill and agreement made by the inspector with the Indians was a change relative to the amount which the Indians were to expend in the purchase of cattle and the amount of moneys which the Indians were to receive from the sale of lands which were to be used in irrigation, and I will say that the Secretary of the Interior also has a message from the inspector stating that these are the only important changes in the bill.

The bill was amended in accordance with these changes, and therefore the bill now before the House is to all intents and purposes the treaty as the Indians have signed it and agreed to it.

Mr. GAINES of Tennessee. Now, this bill, then, is based upon your friend's information from Wyoming. That is the basis they had there for changing the bill in the manner in which you have changed it here, and asked the House to pass it.

Mr. MONDELL. I will say to the gentleman that it is passed on a telegram from the Indian inspector who made the treaty to the Secretary of the Interior.

Mr. GAINES of Tennessee. Well, has the Secretary of the Interior now communicated that to the House?

Mr. MONDELL. The Secretary of the Interior handed that telegram to a Senator of the United States.

Mr. GAINES of Tennessee. Well, where is the telegram now?

Mr. MONDELL. I do not know where the telegram is.

Mr. FITZGERALD. I wish you would give me two minutes.

Mr. JAMES. Has the Secretary of the Interior indorsed this bill?

Mr. GAINES of Tennessee. I think it is monstrous for us to legislate for savages on such testimony as this, without meaning to reflect on my friend.

The SPEAKER. Does the gentleman yield?

Mr. MONDELL. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Wyoming moves the previous question.

Mr. FITZGERALD. Mr. Speaker, I ask the gentleman if he will yield me any time?

Mr. MONDELL. How much time does the gentleman desire?

Mr. FITZGERALD. Well, any reasonable time in order to make a statement in connection with the bill.

Mr. MONDELL. I will yield five minutes to the gentleman.

Mr. FITZGERALD. Mr. Speaker, this bill passed the House with a provision requiring the consent of the Indians to the bill. It passed the House by unanimous consent because that provision was in it and because it could not pass without it. Yesterday I was informed in the office of the Secretary of the Interior that it had been arranged that that provision of the bill would be stricken out in the Senate and the bill sent here and a motion made to concur in the Senate amendment in face of the opposition of the Department to the bill.

I was further informed that the gentleman from Wyoming had more information about what the inspector of the Department of the Interior was doing on that reservation than it was possible for the Department itself to obtain. The Secretary did have a telegram saying that there were two important changes to be made, and he also had a telegram from the inspector that the inspector desired to come to Washington and consult with the Secretary of the Interior before this bill was passed.

This reservation, according to the information I received at the office of the Secretary of the Interior, is rich in gas and oil, and they are anxious—somebody—to have this bill passed before the inspector can come back to the Department.

The Department desires this bill should wait until the inspector gets back, so that it may ascertain what the inspector desires to communicate regarding this bill, but for some reason not exposed

on this floor, nor any place else that I can ascertain, there is a desire to pass the bill before the Department gets that information.

If this House desires to do that, of course it has the power, but it is well that these facts be known. My information was obtained in the Department at a quarter to 12 yesterday morning. Perhaps there is some information here, authoritative, which will say that Department now desires this bill to pass. The gentleman said that this provision was put in, requiring the consent of the Indians, at his request.

He says further that the bill has been amended in two important respects to conform to the desires of the Indians, and yet he admits they strike from the bill the provision that requires the consent of the Indians. If it is so satisfactory to these Indians, if it is so fair, if it is so just and proper, why does the gentleman desire to eliminate the provision that would require the consent of the Indians?

Why, Mr. Speaker, those who are anxious to get the lands of the Indians and the property of the Indians are well represented on the floor of this House; but with the Department of the Interior charged with the duty of looking after their interests, anxious to have this bill held up until it can secure the information which it has sent its inspectors out there to obtain, with nobody here to represent those who should be represented here, we have at this late hour a determination to ram this bill through in defiance of all decency. Those are the facts.

I have no interest in this reservation or in the bill or in the people residing adjacent to the reservation. I live some 4,000 miles from it, but as a member of the Committee on Indian Affairs, charged with the duty of seeing that fairness is done, that those things are done which should be done, I simply desire to present these facts to the House. Now, this bill may pass, but you will have to resort to every expediency under the rules of the House to pass it.

Mr. STEPHENS of Texas. Will the gentleman permit an interruption?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the gentleman is a member of the Committee on Indian Affairs?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. Is it not a fact that this bill was unanimously reported from that committee after a full investigation of the facts?

Mr. FITZGERALD. I was not present when the bill was considered.

Mr. STEPHENS of Texas. Yes. I was present, and I will state that there was no objection to it.

Mr. FITZGERALD. The gentleman and I look on many questions affecting the Indians from different points of view. He lives in a country where the people desire to get the Indian lands.

Mr. STEPHENS of Texas. Yes; I live near the Indians and the gentleman lives 4,000 miles away from them. I understand the situation and he does not.

Mr. FITZGERALD. That may be. I act according to my best judgment and according to the information which I have received from the Department, and the gentleman now proposes to act in defiance of the wishes of the Department charged with the duty of protecting these Indians.

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

Mr. MONDELL. Mr. Speaker, the gentleman has admitted that he lives 4,000 miles away from this reservation. Therefore he knows a very great deal as to its richness that I, living near the reservation and having gone across it several times, never heard of or dreamed of. If it is rich in oil and minerals, it is something that I have never heard of.

These Indians have been anxious to sell their lands for two or three years. I have been endeavoring to have an inspector sent to this reservation for the past year. I have been promised for the last six months, every two or three days, that an inspector would be sent to treat with these Indians. No inspector was sent until a bill had been introduced and reported to this House, and then an inspector was sent.

The inspector went out there. He found, what I knew to be the case, that the Indians were anxious to treat along the lines of this bill, and the only change made in the bill is not an important change, but one relating to the number of head of cattle which they propose to buy, and the amount they expect to spend in irrigating their farms. Those are the only changes.

I asked the Secretary of the Interior to telegraph his inspector and have the treaty sent down here, word for word, so that every word of it could be written into this bill, but I was unable to secure that action and was told that it could not be done.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Has there been any suggestion made before the committee or from any person until to-night that oil or gas or minerals of any kind were to be found upon this land?

Mr. MONDELL. Not that I ever heard of. Mr. Speaker, I could not obtain the treaty in full.

We obtained an official telegram from the inspector to the Secretary saying that the only changes of any importance were the two changes which the Senate has incorporated in the bill by way of amendment; so that we present the bill here practically as these Indians have agreed to it and as they are anxious to have it passed.

Why do we bring it here at this late hour? Because we have tried during this entire session to secure action on this matter, and if we do not secure action on it now it means that the lands will be tied up for another year and the settlers who are anxious to go in there will not have any opportunity.

Mr. STEPHENS of Texas. One other question: Is it not a fact that if oil or gas or valuable minerals of any description were found on that land the Indians would receive the increased value resulting therefrom, the land being put up and sold to the highest bidder?

Mr. MONDELL. It is true that the lands are to be disposed of by the Secretary of the Interior for the best price that they will bring.

The provision of the law is that all such lands shall be disposed of under the mineral-land laws if there are any such deposits. I will add that if there are any mineral deposits there, I have never heard of it.

Mr. FITZGERALD. The information I have comes from the office of the Secretary of the Interior. I do not state it upon my own knowledge, but upon the information of that Department, which must have the information, if anyone has.

Mr. FINLEY. I should like to ask the gentleman from Montana this question: Has there not been stricken from this bill the provision that the treaty be submitted to the Indians and be made subject to their ratification?

Mr. MONDELL. That is a fact. It has been submitted to the Indians and is now in the form in which they have ratified it.

Mr. FINLEY. Has the gentleman a copy of the treaty as ratified by the Indians?

Mr. MONDELL. I think I said a moment ago that I endeavored to have a copy of the treaty sent here by wire. I asked that the Indian inspector be instructed to wire the treaty.

Mr. FINLEY. And he has not done so?

Mr. MONDELL. The Secretary of the Interior did not see fit to instruct the inspector to wire the treaty.

Mr. FINLEY. One other question. Does the gentleman know why the Department of the Interior is opposed to this bill?

Mr. MONDELL. I never heard that the Department was opposed to it. On the contrary, I have been told by Department officials time and time again for several years past that the reservation ought to be opened.

Mr. FINLEY. Is it a fact that the Department is now opposed to the passage of the bill?

Mr. MONDELL. I have never heard any such thing except from the gentleman from New York [Mr. FITZGERALD] to-night.

Mr. GAINES of Tennessee. You say you telegraphed out there to have the treaty telegraphed here?

Mr. MONDELL. I thought I explained that matter. I asked the Secretary of the Interior to have his inspector wire the treaty here.

Mr. GAINES of Tennessee. And the inspector did not wire it?

Mr. MONDELL. The Secretary of the Interior did not see fit to authorize him to do so.

Mr. GAINES of Tennessee. Why did you want the treaty here or why did the Secretary of the Interior want it here before the bill was passed?

Mr. MONDELL. So that we could write into this bill every word, every syllable, of the changes that have been made. Instead of that, being unable to get a copy of the treaty, we write into the bill what we have been told are the only changes of any importance and the only changes that we have heard of, to wit, the changes with regard to the expenditure of the money.

Mr. GAINES of Tennessee. You say that these Indians have agreed to some treaty?

Mr. MONDELL. Yes, sir.

Mr. GAINES of Tennessee. And previous to that agreement you wrote into the bill that this measure must be carried out with the consent of the Indians? Now, if they have signed some treaty out there with which you are not familiar—and that is practically what the gentleman states—why not put in the bill a provision that it must conform to the treaty?

Mr. MONDELL. Well, I will say to the gentleman that I am

familiar with the treaty, because, in the first place, the treaty is the bill.

Mr. GAINES of Tennessee. If you are familiar with it, why did you ask the Secretary to wire for it and get it for you?

Mr. MONDELL. It seems that it is impossible for me to explain to the gentleman so that he understands me, why I wired. I stated a moment ago that I did it in order that every word and every syllable of possible change in this bill might be written into it.

Mr. GAINES of Tennessee. Now, have you written in the bill every word and every syllable of the treaty?

Mr. MONDELL. Yes; the treaty is the bill, as I have tried to explain to the gentleman.

Mr. GAINES of Tennessee. Mr. Speaker, I should like to ask the gentleman a question. If the Indians have already made a treaty in which they ratify the provisions of your bill, what harm can come to you or to the position that you maintain on the floor by leaving it subject to their approval?

Mr. MONDELL. Because if that is done we shall have to wait until the next session of Congress, or some five or six months from now, before the surveys can be made, before the allotments can be made, before various thing can be done, preparatory to opening the reservation to settlement. That will cause a delay of at least a year.

Mr. FITZGERALD. Does not the gentleman know that it would not take a month, if this agreement is satisfactory to the Indians, to have them approve it, and would not delay the opening a month?

Mr. MONDELL. I ask the previous question.

The SPEAKER. The gentleman asks the previous question.

The question being taken, the Speaker announced that the ayes seemed to have it.

Mr. FITZGERALD demanded a division.

The House divided; and there were—ayes 98, noes 58.

Mr. FITZGERALD. Mr. Speaker, I ask for the yeas and nays.

Mr. PAYNE. I move that the House take a recess until 10.30 o'clock this morning.

Mr. FITZGERALD. I make the point of order that there is no quorum present.

Mr. PAYNE. Of course the gentleman can make that point, and of course we can adjourn until 12 o'clock, and we will have the gentleman's delightful presence here until 4 or 5 o'clock in the afternoon.

Mr. FITZGERALD. You can have it here until the 1st of July, if you want it.

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. 11122. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

H. R. 11135. An act amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

H. R. 7535. An act for the relief of Jacob Swigert, late deputy collector, Seventh Kentucky district;

H. R. 14500. An act to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;

H. R. 12647. An act to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

H. R. 15128. An act to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger;

H. R. 13088. An act to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

H. R. 11586. An act to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

H. R. 1925. An act providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

H. R. 13521. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13860. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

H. R. 13592. An act granting an increase of pension to Stephen M. Ferguson.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 1836. An act for the relief of E. H. Murrell.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4236. An act to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me.; Fort Winthrop, Mass.; Fort Hamilton, N. Y.; and Fort H. G. Wright, N. Y., as adopted by board of army officers constituted to ascertain the same—to the Committee on Claims.

The SPEAKER. The gentleman from New York moves that the House take a recess until this morning at 10.30 o'clock.

Mr. FITZGERALD. I will withdraw the point of no quorum, Mr. Speaker.

The motion was agreed to.

Accordingly (at 12 o'clock and 59 minutes a. m., Thursday, April 28, 1904) the House took a recess until 10.30 a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Attorney-General, transmitting a response to the inquiry of the House as to an investigation of the so-called anthracite coal trust—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Attorney-General, transmitting a response to the inquiry of the House in relation to proceedings against the individuals and corporations involved in the Northern Securities case—to the Committee on the Judiciary, 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. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10140) providing for the construction of a wagon road within the boundaries of the Yosemite National Park, reported the same with amendment, accompanied by a report (No. 2891); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 7988) to provide for the refunding of certain money, and so forth, reported the same without amendment, accompanied by a report (No. 2921); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11528) for the relief of the Harbison-Walker Company, of Pittsburg, Pa., reported the same without amendment, accompanied by a report (No 2928); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the Senate joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers, reported the same without amendment, accompanied by a report (No. 2929); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2151) granting an increase of pension to Samuel H. Hunt, reported the same with amendment, accompanied by a report (No. 2882); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6640) granting

an increase of pension to John A. Courtney, reported the same with amendment, accompanied by a report (No. 2883); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 5998) for the relief of Capt. Archibald W. Butt, quartermaster, United States Army, reported the same without amendment, accompanied by a report (No. 2884); which said bill and report were referred to the Private Calendar.

Mr. McNARY, from the Committee on Claims, to which was referred the bill of the House (H. R. 5163) for the relief of Catherine Grace, reported the same without amendment, accompanied by a report (No. 2888); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 9476) for the relief of the minor children of John W. Geering, deceased, formerly of Vallejo, Cal., reported the same with amendment, accompanied by a report (No. 2889); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 7730) to reimburse Quong Hong Yick for one case of opium erroneously condemned and sold by the United States, reported the same with amendment, accompanied by a report (No. 2890); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5423) granting an increase of pension to Ellen J. Morton, reported the same without amendment, accompanied by a report (No. 2892); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5184) granting a pension to Ethel Talley, reported the same without amendment, accompanied by a report (No. 2893); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2414) granting an increase of pension to Elise Habercom, reported the same without amendment, accompanied by a report (No. 2894); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2578) granting an increase of pension to Sylvester Beezley, reported the same without amendment, accompanied by a report (No. 2895); 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. 1994) granting an increase of pension to Isabella Chivington, reported the same without amendment, accompanied by a report (No. 2896); 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. 1576) granting an increase of pension to Emily M. J. Cooley, reported the same without amendment, accompanied by a report (No. 2897); 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 Senate (S. 183) granting an increase of pension to John W. Currier, reported the same without amendment, accompanied by a report (No. 2898); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 216) granting an increase of pension to Nelson Wells, reported the same without amendment, accompanied by a report (No. 2899); 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. 1421) granting an increase of pension to Charles L. Houghton, reported the same without amendment, accompanied by a report (No. 2900); 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. 922) granting an increase of pension to William S. Devlin, reported the same without amendment, accompanied by a report (No. 2901); 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 Senate (S. 3791) granting an increase of pension Edwin J. Tenney, reported the same without amendment, accompanied by a report (No. 2902); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5416) granting an increase of pension to James A. Hopson, reported the same without amendment, accompanied by a report (No. 2903); 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 Senate (S. 5492) granting an increase of pension to Mary T. Holden, reported the same without amendment, accompanied by a report (No. 2904); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5556) granting an increase of pension to Sarah A. Hoback, reported the same without amendment, accompanied by a report (No. 2905); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5484) granting a pension to Burnetta B. Lehmann, reported the same without amendment, accompanied by a report (No. 2906); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3640) granting an increase of pension to John S. Stevens, reported the same without amendment, accompanied by a report (No. 2907); which said bill and report were referred to the Privat Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2745) granting an increase of pension to Thomas Howard, reported the same without amendment, accompanied by a report (No. 2908); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3329) granting a pension to Mary E. Strong, reported the same without amendment, accompanied by a report (No. 2909); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2893) granting an increase of pension to Emanuel Morter, reported the same without amendment, accompanied by a report (No. 2910); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3502) granting an increase of pension to Joseph W. Willis, reported the same without amendment, accompanied by a report (No. 2911); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3414) granting an increase of pension to Henry Wheeler, reported the same without amendment, accompanied by a report (No. 2912); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3033) granting an increase of pension to Charles B. Williams, reported the same without amendment, accompanied by a report (No. 2913); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 60) for the relief of Gottlieb C. Rose, reported the same without amendment, accompanied by a report (No. 2914); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3246) to remove the charge of desertion from the name of Frederick W. Joslin, reported the same without amendment, accompanied by a report (No. 2915); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4066) for the relief of Leonard I. Brownson, reported the same without amendment, accompanied by a report (No. 2916); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2848) for the rerief of Capt. Ferdinand Hansen, reported the same without amendment, accompanied by a report (No. 2918); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3535) to grant honorable discharge to William A. Treadwell, reported the same with amendment, accompanied by a report (No. 2924); 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. 63) for the relief of Charles Stierlin, reported the same without amendment, accompanied by a report (No. 2925); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the bill of the Senate (S. 5188) for the relief of the L. S. Watson Manufacturing Company, of Leicester, Mass., reported the same without amendment, accompanied by a report (No. 2926); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was

referred the bill of the House (H. R. 4896) for the relief of the legal representatives of A. G. Boone, reported the same with amendment, accompanied by a report (No. 2927); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1272) for the relief of Col. Azor H. Nickerson, reported the same adversely, accompanied by a report (No. 2917); which said bill and report were ordered to be laid on the table.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4149) to remove the charge of desertion from the military record of Samuel J. Maund, reported the same adversely, accompanied by a report (No. 2919); which said bill and report were ordered to be laid on the table.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13519) to correct the military record of Richard R. Sprague and grant him an honorable discharge, reported the same adversely, accompanied by a report (No. 2920); which said bill and report were ordered to be laid on the table.

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6870) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," reported the same adversely, accompanied by a report (No. 2922); which said bill and report were ordered to be laid on the table.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7409) to place Elias H. Parsons on the retired list of the United States Army, reported the same adversely, accompanied by a report (No. 2923); which said bill and report were ordered to be laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HILL of Mississippi (by request): A bill (H. R. 15475) to provide a public-improvement currency for the island of Porto Rico—to the Committee on Insular Affairs.

By Mr. McLACHLAN: A bill (H. R. 15476) to discontinue all but one post-office in any incorporated city and to provide for general free delivery of mail where the combined gross revenues of all post-offices in said city aggregate $10,000 during the preceding fiscal year, and providing for the salary of the postmaster in such cases—to the Committee on the Post-Office and Post-Roads.

By Mr. WILEY of New Jersey: A bill (H. R. 15477) to change the name of Thirteen-and-a-half street to Linworth place—to the Committee on the District of Columbia.

By Mr. DIXON: A bill (H. R. 15478) for the survey and allotment of lands now embraced within the limits of the Blackfeet Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment—to the Committee on Indian Affairs.

By Mr. BROOKS: A bill (H. R. 15479) to amend the homestead laws as to certain unappropriated and unreserved lands in the State of Colorado—to the Committee on the Public Lands.

By Mr. SCUDDER: A bill (H. R. 15541) creating a commission to investigate the question of the redemption of swamps and marshes in New York and New Jersey, with a view to improving sanitary conditions and exterminating the Anapholes mosquito—to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Texas: A bill (H. R. 15542) to encourage and promote commerce among States and with foreign nations and to remove obstructions thereto—to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: A bill (H. R. 15543) to provide for a medal in commemoration of the service of Haym Salomon during the war of the Revolution and to express recognition of the same—to the Committee on the Library.

By Mr. SPALDING: A bill (H. R. 15544) for the incorporation of insurance corporations for regulating foreign and interstate commerce by guaranteeing the labor contracts of those engaged therein, and providing for the arbitration of liabilities and losses—to the Committee on Labor.

By Mr. McCLEARY of Minnesota: A bill (H. R. 15545) for the erection of a public building at New Ulm, Minn.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMS of Wisconsin: A bill (H. R. 15546) to incorporate the Potomac Bridge and Terminal Company of the District of Columbia—to the Committee on Interstate and Foreign Commerce.

By Mr. McNARY: A bill (R. R. 15547) prescribing certain qualifications for those who may be employed in the construction of the Panama Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. SCUDDER: A joint resolution (H. J. Res. 156) directing the Secretary of War to submit plans and estimates for dredging Lloyd Harbor and constructing a canal connecting it with Cold Spring Harbor, in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

By Mr. McNARY: A joint resolution (H. J. Res. 157) relative to a ship canal across Cape Cod—to the Committee on Railways and Canals.

By Mr. SPALDING: A resolution (H. Res. 361) relative to the tariff on wheat—to the Committee on Ways and Means.

By Mr. GROSVENOR: A resolution (H. Res. 362) providing for the printing of 10,000 copies of the ruling the Speaker made on the Cockran resolution—to the Committee on Printing.

Also, a resolution (H. Res. 362) to print 10,000 copies of the Calendar, day of April 27, 1904—to the Committee on Printing.

By Mr. PAYNE: A resolution (H. Res. 363) relative to compilation of legislative history of all customs revenue acts from the First to the Fifty-eighth Congresses, inclusive—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BEALL of Texas: A bill (H. R. 15480) granting a pension to W. C. Short—to the Committee on Pensions.

By Mr. CAPRON: A bill (H. R. 15481) granting an increase of pension to Cyrus F. Taylor—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD (by request): A bill (H. R. 15482) for the relief of Marie Louise Baldwin for services rendered to the Pillager and other bands of Chippewa Indians, in the State of Minnesota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15483) for the relief of John B. Bottineau for services rendered and for disbursements incurred on account of the Pillagers and other bands of Chippewa Indians interested with them, in the State of Minnesota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15484) for the relief of Henry Poitra (Sasswain) for moneys advanced the Turtle Mountain Indians in the State of North Dakota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15485) for the relief of the widow of Chief Little Shell, and for other purposes—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15486) for the relief of Hyacinthe Villeneauve for services and money paid on account of the Turtle Mountain Indians, in the State of North Dakota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15487) for the relief of Charles Bottineau (Charlo) for services rendered and supplies furnished the Pembina and Turtle Mountain bands of Chippewa Indians—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15488) for the relief of Rev. J. F. Milo, the old missionary and pastor of the Turtle Mountain band of Chippewa Indians, in the State of North Dakota—to the Committee on Indian Affairs.

By Mr. COUSINS: A bill (H. R. 15489) granting an increase of pension to Oliver H. Martin—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 15490) granting a pension to John W. Patterson—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 15491) granting a pension to Theresa M. Kennedy—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 15492) granting an increase of pension to Enos J. Rexford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15493) for the relief of Leonard R. Marsh—to the Committee on Military Affairs.

By Mr. GLASS: A bill (H. R. 15494) for the relief of the legal heirs of Le Roy Campbell, deceased, of Roanoke County, Va.—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 15495) granting a pension to Henry Jones—to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 15496) for the relief of William B. Brown—to the Committee on Naval Affairs.

By Mr. HAMLIN: A bill (H. R. 15497) granting an increase of pension to Patrick H. Oliver—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 15498) granting an increase of pension to James McCormick—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 15499) granting a pension to William W. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15500) granting a pension to Gustav Tunitee—to the Committee on Invalid Pensions.

By Mr. HITCHCOCK: A bill (H. R. 15501) granting an increase of pension to Evan Wyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15502) granting a pension to John B. Furay—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 15503) for the relief of the heirs at law and legal representatives of Asahel Bliss—to the Committee on War Claims.

By Mr. LILLEY: A bill (H. R. 15504) granting an increase of pension to Ellen Tuite—to the Committee on Invalid Pensions.

By Mr. LIVERNASH: A bill (H. R. 15505) granting an increase of pension to James Mitchell—to the Committee on Invalid Pensions.

Also a bill (H. R. 15506) granting a pension to Mary D. McKinnon—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 15507) for the relief of Levi Neitz—to the Committee on Military Affairs.

By Mr. McLACHLAN: A bill (H. R. 15508) granting a pension to Charles F. Dunn—to the Committee on Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 15509) granting an increase of pension to Margaret Becker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15510) granting an increase of pension to Hugh Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15511) granting a pension to Josephine Demoruelle—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 15512) for the relief of the estate of Blaize Motte, sr., deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 15513) for the relief of the estate of Clarisse Donato, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 15514) for the relief of the estate of Belot Augusta Donato, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

By Mr. SCUDDER: A bill (H. R. 15515) granting an increase of pension to Mary E. Burrell—to the Committee on Pensions.

Also, a bill (H. R. 15516) granting a pension to Ernestine M. Benjamin—to the Committee on Pensions.

Also, a bill (H. R. 15517) for the relief of Hyman Nemzer—to the Committee on Claims.

By Mr. SPERRY: A bill (H. R. 15518) granting a pension to Howell Atwater—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 15519) for the relief of the legal representatives of D. P. Crook, deceased—to the Committee on War Claims.

By Mr. VOLSTEAD: A bill (H. R. 15520) granting an increase of pension to William P. Dunnington—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 15521) granting an increase of pension to Benjamin W. Schenck—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 15522) granting an increase of pension to Jacob Shade—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 15523) to amend the record of John Sigwald—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 15524) granting a pension to John Coggins—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 15525) to remove the charge of desertion now existing on the records of the War Department against John McKeon—to the Committee on Military Affairs.

By Mr. CAPRON: A bill (H. R. 15526) granting an increase of pension to Horace B. Tanner—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 15528) granting an increase of pension to Kemenskio A. N. L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15529) granting an increase of pension to James M. Elkinton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15530) granting an increase of pension to Adam Weaber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15531) granting an increase of pension to Thomas Forbes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15532) granting an increase of pension to Frederick Burnwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15533) for the relief of William H. Cornell—to the Committee on Military Affairs.

Also, a bill (H. R. 15534) for the relief of Robert T. Short—to the Committee on Naval Affairs.

By Mr. GILLESPIE: A bill (H. R. 15535) granting a pension to John Crotty—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 15536) for the relief of Flora Yost Klinowski—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 15537) to refund to A. L. Flack & Co., of Tiffin, Ohio, money paid for internal-revenue stamps lost in the mails—to the Committee on Claims.

Also, a bill (H. R. 15538) for the relief of the Milburn Wagon Company, of Toledo, Ohio—to the Committee on Claims.

By Mr. GREENE: A bill (H. R. 15539) for the promotion of First Lieut. John H. Morrissey, Revenue-Cutter Service—to the Committee on Naval Affairs.

By Mr. LESTER: A bill (H. R. 15540) for the relief of the heirs at law of Charles Evans, deceased—to the Committee on War Claims.

By Mr. DOVENER: A bill (H. R. 15548) for the relief of Thornton F. Cartwright—to the Committee on Military Affairs.

Also, a bill (H. R. 15549) for the relief of E. H. Hoult, of Marion County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 15550) for the relief of Charles L. Barnes, of Monongalia County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 15551) granting back pension pay to Robert Nicholls—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. BABCOCK: Petition of 6 citizens of Lavalle, Wis., for constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of citizens and fishermen of Brooksville, Me., relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

By Mr. COOPER of Wisconsin: Petition of the West Side Monday Club, of Beloit, Wis., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. CURRIER: Resolution of the annual town meeting of Peterboro, N. H., relative to the purchase or procurement by deed or otherwise of a suitable lot of land in Peterboro upon which to erect a statue to the memory of Gen. James Miller—to the Committee on the Library.

By Mr. DOVENER: Papers to accompany bill H. R. 2971, granting an increase of pension to John Crawford—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9730, granting a pension to Adam Minear—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 15134, granting an increase of pension to John M. Coffman—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: Petition of M. L. Brown and 9 others, of Middletown Springs, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FRENCH: Petition of T. Turnbull and others, of Sagle, Idaho, favoring passage of a parcels-post and a post-check bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Petition of the Nineteenth Century Club, of St. Joseph, Mich., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. HAMLIN: Paper to accompany bill granting an increase of pension to Patrick H. Oliver—to the Committee on Invalid Pensions.

By Mr. HARRISON: Petition of the Court Perfumery Company, of New York City, favoring passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, petition of F. S. Clark and other citizens of New York, protesting against passage of bill S. 4713 in its present form and suggesting amendment thereto—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Petition of Landers, Frany & Clark, and the Russell & Ervin Manufacturing Company, of New Britain, Conn., favoring passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. HEPBURN: Petition of residents of Ravensdale, Wash., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, eighteen petitions of citizens of various towns in the State of Washington, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Resolution of Helpers' Division, No. 88, Brotherhood of Boiler Makers and Iron-ship Builders, of Paterson, N. J., favoring passage of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. JONES of Washington: Petition of 100 citizens, representing the Christian Church of Waitsburg, Wash., urging the closing of the Lewis and Clark exposition on Sundays—to the Select Committee on Industrial Arts and Expositions.

By Mr. KETCHAM: Petition of Rev. William J. Leggett and others, of Chatham, N. Y., for constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. LAMAR of Missouri: Papers to accompany House bill to pension Joseph A. Nimmo—to the Committee on Invalid Pensions.

Also, paper to accompany bill (H. R. 14346) to pension A. E. Durham—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 15029 granting an increase of pension to Archibald Christian—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 15026 to pension Hattie Richardson—to the Committee on Invalid Pensions.

By Mr. LILLEY: Papers to accompany bill granting a pension to Ellen Tuite—to the Committee on Invalid Pensions.

By Mr. LIND: Petition of Trades and Labor Assembly of Minneapolis, Minn., favoring passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. LINDSAY: Resolution of the Albany Chamber of Commerce, approving general proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. LITTLEFIELD: Petition of citizens and fishermen of Port Clyde, Me., relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens and fishermen of the State of Maine, relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, petition of W. T. Kirby and others, of Sabattus, Me., favoring passage of a parcels-post and a post-check bill; also petition of residents of Auburn, Me.—to the Committee on the Post-Office and Post-Roads.

By Mr. McCALL: Petition of the Massachusetts Forestry Association, in favor of passage of bill S. 2327—to the Committee on the Public Lands.

By Mr. McCREARY of Pennsylvania: Resolution of New Century Club, T Square Club, and Civic Club, of Philadelphia, Pa., favoring passage of bill fixing width of Mall—to the Committee on Public Buildings and Grounds.

Also, resolution of Colonel J. W. Moore Circle, No. 87, Ladies of the Grand Army of the Republic, of Philadelphia, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Philadelphia Maritime Exchange, relative to the completion of the breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of Philadelphia Board of Trade, favoring passage of bill S. 4505, relative to increasing the efficiency of the permanent military establishment of the United States—to the Committee on Military Affairs.

Also, resolution of Philadelphia Association of Retail Druggists, favoring passage of bill to increase the efficiency of the Hospital Corps of the Navy—to the Committee on Naval Affairs.

Also, resolution of Trades League of Philadelphia, favoring passage of a post-check bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of United Textile Association of Philadelphia, against passage of an anti-injunction bill—to the Committee on the Judiciary.

Also, petition of United Textile Association of Philadelphia, against passage of an eight-hour law—to the Committee on Labor.

Also, resolution of National Wholesale Lumber Dealers' Association, against passage of an eight-hour law—to the Committee on Labor.

Also, resolution of the Trades League of Philadelphia, Pa., relative to a new reciprocal trade treaty between United States and Canada—to the Committee on Ways and Means.

Also, resolution of Marine Engineers' Beneficial Association, No. 13, of Philadelphia, Pa., relative to increasing salary of Supervising Inspector-General of Steam Vessels—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Philadelphia Board of Trade, favoring passage of bill S. 2641, relative to the destruction of derelicts—to the Committee on Naval Affairs.

Also, petition of Civic Club of Philadelphia, favoring passage of bill S. 2327, relative to a national forestry reservation in the White Mountains of New Hampshire—to the Committee on Agriculture.

Also, resolution of Philadelphia Association of Retail Druggists, favoring passage of bill H. R. 13679—to the Committee on Patents.

Also, resolution of Pennsylvania Lodge, No. 511, Brotherhood of Railroad Trainmen, of Philadelphia, favoring passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, resolutions of Charles J. Kickham Club; Division 16, Ancient Order of Hibernians, and Commodore Barry Council, 578, Knights of Columbus, of Philadelphia, Pa., favoring passage of bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petition of piano manufacturers and dealers of Philadelphia, Pa., in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. MAHON: Papers to accompany bill for the relief of Levi Neitz—to the Committee on Military Affairs.

By Mr. MEYER of Louisiana: Paper to accompany bill granting a pension to Hugh Green—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Lizzie Faurie—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Margaret P. Becker—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to Pleasant T. Smith—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of the Albany Chamber of Commerce, approving the proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. RYAN: Papers to accompany bill H. R. 11870, to correct military record of Dean Wilson—to the Committee on Military Affairs.

Also, resolution of the Albany Chamber of Commerce, approving the general proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. WM. ALDEN SMITH: Petition of Ladies' Literary Club, of Grand Rapids, Mich., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Resolution of National Business League of Chicago, Ill., against enactment of so-called "short form" of Lodge and Adams bills—to the Committee on Foreign Affairs.

By Mr. SULZER: Petition of F. S. Clark and others, of New York City, against passage of bill S. 4713—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of North Carolina: Petition of North Carolina Association of Retail Grocers and General Merchants, protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

THURSDAY, *April 28, 1904.*

The PRESIDING OFFICER (Mr. PERKINS in the chair) called the Senate to order at 12 o'clock meridian.

Prayer by the Rev. F. J. PRETTYMAN, of the city of Washington.

The PRESIDING OFFICER. The Secretary will read the Journal of yesterday's proceedings.

On the request of Mr. KEAN, and by unanimous consent, the reading of the Journal was dispensed with.

Mr. PLATT of New York. From the Committee on Printing I desire to submit a report, and to ask for the immediate consideration of the resolution.

The PRESIDING OFFICER. The Senator from Maryland [Mr. GORMAN] is entitled to the floor. Does he yield for that purpose?

Mr. BACON. I hope the Senator from Maryland will pardon me for just one moment.

Mr. HEYBURN. I ask the Senator from Maryland to yield while I present an amendment and give a notice.

The PRESIDING OFFICER. This being the commencement of a new legislative day, the regular order of business, unless otherwise ordered, is petitions and memorials.

Mr. HOAR. I rise to a question of order.

The PRESIDING OFFICER. The Senator from Massachusetts will state his question of order.

Mr. HOAR. The designation by the President pro tempore of a Senator to preside in his absence can not extend under the rule beyond a legislative day, except by unanimous consent.

The PRESIDING OFFICER. The Chair thinks the Senator from Massachusetts is correct.

Mr. HOAR. If the Chair will permit me to state my proposition, in order that there may be no precedent which may be troublesome at some time in the future, I ask unanimous consent that the Senator from California continue to fill the chair during the remainder of the session or until the return of the President pro tempore.

The PRESIDING OFFICER. The request is out of order at this time.