

postal matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: Memorial of the Chamber of Commerce of San Francisco, Cal., favoring the suspension of immigration from cholera-infected ports—to the Select Committee on Immigration and Naturalization.

Also, petition of the San Francisco (Cal.) Chamber of Commerce, praying for the repeal of the Sherman silver-purchase act—to the Committee on Coinage, Weights, and Measures.

Also, petition of the San Francisco (Cal.) Chamber of Commerce, asking Congress to enact a national quarantine law—to the Committee on Interstate and Foreign Commerce.

Also, petition of the San Francisco (Cal.) Chamber of Commerce, for legislation favoring the laying of a cable to Australia via the Sandwich and Samoan Islands—to the Committee on Interstate and Foreign Commerce.

By Mr. MUTHCHLER: Three petitions of members of the United American Mechanics, of Pennsylvania, the petition of Lenni Lenape Council, No. 87, of Easton; of Nargareth Council, No. 100, of Nargareth; and of Siegfrieds Council, No. 409, of Siegfrieds, in favor of restricting all immigration from foreign countries except healthy and industrious persons—to the Select Committee on Immigration and Naturalization.

By Mr. O'DONNELL: Petition of 96 citizens of Battle Creek, Mich., asking for the passage of House bill 8369, giving women the right to vote for members of the House of Representatives—to the Committee on the Judiciary.

By Mr. OHLIGER: Three petitions of citizens of Canton, Ohio, as follows: The petition of the Concordia Singing Society; of the Mannerchor, and of the Germania Turnverein, against restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. O'NEIL of Massachusetts: Petition of several citizens of Cambridge, Mass., in favor of opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, two petitions of citizens of Massachusetts; one of about 44 citizens of Belmont, and the other of E. H. Kennedy and 30 citizens of North Easton, both in favor of opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Pennsylvania: Petition of Greble Council 103, Order of United American Mechanics, against restricting immigration generally, and forbidding immigration to the criminal elements of the Old World—to the Select Committee on Immigration and Naturalization.

By Mr. PEARSON: Two petitions of members of the Order of United American Mechanics of Ohio; one the petition of Council, No. 80, located at Barton, the other of Council No. 75, of Whitney, for restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. RANDALL: Resolution of Edward T. Tucker and Sarah E. Wright, clerks of the New Bedford Monthly Meeting of Friends, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. REED: Petition of the Board of Trade of Portland, Me., favoring the permanent establishment of the Census Bureau—to the Select Committee on the Eleventh Census.

By Mr. REILLY: Resolution of Council, No. 367, Junior Order of United American Mechanics, Shenandoah, Pa., in favor of the passage of the bill known as the Chandler immigration bill—to the Select Committee on Immigration and Naturalization.

Also, petition of Council, No. 134, United American Mechanics, of Tamaqua, Pa., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

Also, resolutions of quarrymen of marble, of Tennessee, alleging discrimination in the work on the Congressional Library and other public buildings—to the Committee on Public Buildings and Grounds.

By Mr. REYBURN: Two petitions of citizens of Philadelphia, Pa., one Science Council, No. 39, United American Mechanics, the other of Relief Council, No. 47, United American Mechanics, in favor of amending the immigration laws—to the Select Committee on Immigration and Naturalization.

By Mr. SNODGRASS: Petition of Mary McGuire, administratrix of the estate of Patrick McGuire, deceased, late of Hamilton County, Tenn., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. STEPHENSON: Two petitions of the Regular Army and Navy Union of Sault Ste. Marie, Mich., the petition of John H. McEvoy and others, of O. M. Poe Garrison, No. 20, and of Daniel Coyle and others, of the same garrison, in favor of the passage of Senate bill for the retirement of enlisted men of Army after twenty-five years' service—to the Committee on Military Affairs.

By Mr. JOSEPH D. TAYLOR: Petition of Rev. W. D. Lowery and 231 other citizens of Guernsey and Noble Counties, Ohio, praying Congress to refuse to allow the World's Fair to be opened

on the first day of the week, commonly called Sunday—to the Select Committee on the Columbian Exposition.

By Mr. VINCENT A. TAYLOR: Petition of L. W. Penfield and others, of Willoughby, Ohio, asking for a discontinuance of the purchase of silver under the Sherman act—to the Committee on Banking and Currency.

By Mr. WALKER: Petition of the United Order of American Mechanics, relative to the pernicious effects of unrestricted foreign immigration—to the Select Committee on Immigration and Naturalization.

By Mr. WILLCOX: Petition of the Order of United American Mechanics of Matherbessett, Conn., for restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. WILSON, of Missouri: Resolutions of Electric City Lodge, No. 110, International Association of Machinists of St. Joseph, Mo., relative to labor troubles at Government works at West Troy, N. Y.—to the Committee on Labor.

Also, three petitions of citizens of Missouri, as follows: The petition of ministers of St. Joseph; of the Ladies' Missionary Society of York, and of the representatives of the Protestant churches of Maryville, protesting against Sunday opening of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of West Virginia: Petition of K. B. Crawford, for the estate of Adam Crawford, deceased, late of Randolph County, W. Va., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of E. B. Earle and C. L. Earle, of Randolph County, W. Va., praying that their war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of Clay O. Bird for the estate of James W. Bird, late of Pendleton County, W. Va., praying that his war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WOLVERTON: Petition of the Nation Council of the Order of United American Mechanics, of Danville, Pa., for a law to restrict immigration—to the Select Committee on Immigration and Naturalization.

By Mr. WRIGHT: Memorial of G. O. Mott and 28 others, of Wayne County, Pa., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, February 1, 1893.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

MARITIME OFFENSES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and ordered to lie on the table:

To the Senate of the United States:

In compliance with a resolution of the Senate (the House of Representatives concurring) I return herewith the bill (S. 2225) entitled "An act to provide for the punishment of offenses on the high seas."

BENJ. HARRISON.

EXECUTIVE MANSION, January 31, 1893.

INAUGURATION ARRANGEMENTS.

The VICE-PRESIDENT appointed Mr. TELLER, Mr. RANSOM, and Mr. MCPHERSON as the committee, under the resolution passed by the Senate of the 26th of January, to make the necessary arrangements for the inauguration of the President-elect of the United States on the 4th day of March next.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs and accompanying agreement made by the commission appointed to treat with the Indians of the Siletz Reservation, in Oregon, for the cession of the surplus lands of the reservation or tract of country in which the Indians reside, etc.; which was read.

Mr. DOLPH. I move that the communication be referred to the Committee on Indian Affairs and be printed. In view of the recommendation of the Secretary of the Interior that the matter shall receive the immediate attention of Congress, I call the attention of the chairman of the committee to the communication and hope that it will receive early action, as I desire to secure legislation at the present session to open the reservation. There can be no objection to the agreement which has been entered into. It is a small matter.

THE VICE-PRESIDENT. The communication, with the accompanying papers, will be referred to the Committee on Indian Affairs and be printed, if there be no objection.

DEALING IN OPTIONS AND FUTURES.

MR. WASHBURN. I move that the Senate request a conference with the House of Representatives on the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes, and the amendment of the Senate thereto.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. WASHBURN, Mr. MITCHELL, and Mr. GEORGE were appointed.

PETITIONS AND MEMORIALS.

MR. SHERMAN presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the passage of legislation amending and enlarging the powers of the Interstate Commerce Commission; which was ordered to lie on the table.

He also presented a petition of 28 citizens of Willoughby, Ohio, praying for the suspension of the purchase of silver bullion; which was ordered to lie on the table.

He also presented a petition of Randolph Council, No. 167, Junior Order United American Mechanics, of Ohio, praying for the passage of the so-called Chandler immigration bill; which was referred to the Committee on Immigration.

He also presented petitions of the boards of health of Ashland, Circleville, Pataskala, and Elmwood Place, all in the State of Ohio, praying for the adoption of a national quarantine and the suspension of immigration until the quarantine defenses of the country shall be placed in a condition to guarantee protection from contagious diseases; which were referred to the Committee on Immigration.

MR. VEST presented a petition of the Farmers and Laborers' Union of Washington County, Mo., praying for the passage of the Washburn-Hatch antioption bill and for the election of United States Senators and President of the United States by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

MR. WASHBURN presented a petition of the board of directors of the Commercial Club of St. Paul, Minn., praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

MR. BATE presented a petition of the Memphis (Tenn.) Merchants' Exchange, praying for the passage of a national quarantine bill; which was referred to the Committee on Immigration.

He also presented a petition of the senators and representatives of Davidson County in the General Assembly of Tennessee, praying for the passage of House bill 3608, providing for the classification of post-office clerks and fixing their salaries; which was referred to the Committee on Post-Offices and Post-Roads.

MR. BRICE presented a petition of 1,500 citizens of Ohio, praying for the adoption of an amendment to the immigration laws so as to prohibit the landing within the borders of the United States of any and all immigrants, whether at seaports or along its borders, for the space of one year after the passage of such law, excepting foreigners who may come here as visitors during the progress of the World's Columbian Exposition; and also praying for the appointment of a commission to investigate the evils of immigration in sections colonized by aliens during the last two decades; which was referred to the Committee on Immigration.

He also presented petitions of the boards of health of Dover, Ohio City, New Straitsville, Marysville, and Middletown, all in the State of Ohio, praying for the passage of legislation placing the control of the maritime quarantine in the hands of the National Government and the suspension of immigration until such time as the quarantine defense of the country shall have been placed in a condition to guarantee protection against infectious diseases; which were referred to the Committee on Immigration.

He also presented a petition of the Society of Surveyors and Civil Engineers of Ohio, praying that an adequate appropriation be made for the work of testing the strength of material of all American woods; which was referred to the Committee on Appropriations.

He also presented the memorial of Dr. James T. Whittaker, of Cincinnati, Ohio, remonstrating against the proposed legislation relinquishing the publication of "The Index Medicus;" which was referred to the Committee on Appropriations.

He also presented a petition of the Single-Tax Club of Dayton, Ohio, praying for the establishment of a permanent census bureau to collect data at each decennial period to show what percentage of the people of the United States occupy their own

houses and farms; which was referred to the Committee on the Census.

He also presented the memorial of Rev. Frank A. Domer, pastor of the Methodist Episcopal Church of Newport, Ohio, remonstrating against the passage of any legislation authorizing the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 70 citizens of Canton, Ohio, and a petition of 28 citizens of Willoughby, Ohio, praying for the passage of legislation authorizing the suspension of all silver purchases by the United States Government; which were ordered to lie on the table.

He also presented the petition of D. K. Wood, of Columbus, Ohio, praying for the establishment of a road bureau in the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Farmers' Institute of Logan County; of Pomona Grange, Patrons of Husbandry, of Bellevue; of the Farmers' Institute of Marion County; of the Farmers' Institute of Coshocton County, and of the Farmers' Institute of Geauga County, all in the State of Ohio, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

He also presented the petition of P. G. Turner, secretary of the Young Men's Christian Association of Toledo, Ohio, praying for the passage of Senate bill 2824, regulating rates of postage on second-class mail matter at letter-carrier offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Councils Nos. 194, 218, 254, and 264, Junior Order United American Mechanics, of Sullivan, Canton, Nashville, and Armstrong Mills, all in the State of Ohio, praying for the passage of the so-called Chandler immigration bill; which were referred to the Committee on Immigration.

He also presented petitions of the boards of health of East Palestine, Delphos, and Blanchester, all in the State of Ohio, praying for the suspension of immigration until such time as the quarantine defenses of the country shall have been placed in a condition to guarantee protection from contagious diseases; which were referred to the Committee on Immigration.

MR. VILAS presented a petition of sundry citizens of Oneida County, Wis., praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

MR. FELTON presented petitions of citizens of Tombstone, Tucson, Casa Grande, Florence, Phoenix, and Wilcox, all in the Territory of Arizona, praying that an appropriation of \$500,000 be made for the purpose of commencing and prosecuting the work of constructing a deep-water harbor at San Pedro, on the coast of Los Angeles County, Cal.; which were referred to the Committee on Commerce.

ANNEXATION OF HAWAIIAN ISLANDS.

MR. FELTON. I present a telegram transmitting resolutions passed by the Chamber of Commerce of San Francisco, Cal., relative to the revolution which has taken place in the Hawaiian Islands. I ask that the telegram be read.

MR. SHERMAN. Let it be read.

THE VICE-PRESIDENT. The telegram will be read, if there be no objection.

The telegram was read; and, on motion of Mr. DOLPH, referred to the Committee on Foreign Relations, and ordered to be printed, as follows:

[Telegram.]

SAN FRANCISCO, CAL., January 31, 1893.

C. N. FELTON,

United States Senator, Washington, D. C.:

The following resolutions were unanimously adopted by one of the largest meetings of the Chamber of Commerce held in years:

"Whereas the Chamber of Commerce of San Francisco has been reliably informed of a revolution and the establishment of provisional government at the Hawaiian Islands, said *de facto* government now seeking annexation to the United States; and

"Whereas the commercial relations now existing between the two countries are close and important, Hawaii having become one of the most valuable commercial centers on the Pacific Ocean, with the promise of a greatly increased value to American interests when the Nicaragua Canal shall be completed; and

"Whereas the political interests of the United States and its Pacific Ocean commerce demand that no European power shall obtain control of the Hawaiian Islands to our detriment; and

"Whereas the present conditions involve the probability of disaster to the lives and property of American citizens: Therefore,

"Be it resolved, The Chamber of Commerce hails with satisfaction the friendly offer to be made by the Hawaiian Government to cede the islands to the United States, urging upon the United States Government the prompt acceptance of the proposed cession, thus at once obtaining peaceable and honorable possession, insuring a stable government, the protection of life and property, and the preponderating influence of the United States in the growing commerce of the Pacific Ocean.

Resolved, That our Government is urgently requested to promptly augment the naval forces of the United States at the Hawaiian Islands pending the disturbed political conditions there existing.

Resolved, That attested copies of these resolutions be forwarded to the President of the United States and the California delegation in Congress, requesting their influence in favor of the annexation of the Hawaiian Islands, and that the resolutions may be promptly presented to the honorable Senate and House of Representatives in Congress assembled.

Please forward copy to the President.

E. B. POND,
President Chamber of Commerce.
THOMAS J. HAYNES, Secretary.

SETTLERS ON FORFEITED RAILROAD LANDS.

Mr. DOLPH. I have received a communication from Hon. W. R. Ellis, Representative-elect from the Second Congressional district of Oregon, which I think it is my duty to give some publicity to. Mr. Ellis writes me as follows:

I inclose herewith copy of a letter which many of our constituents are receiving from Washington. It is accompanied in every case by a power of attorney, giving the sender full control of the subject-matter named. As I understand it, nothing can be refunded to the settlers until Congress takes some action, and it seems to me from the character of the power of attorney, they anticipate some favorable action, and desire to get hold of as many claims as possible. At the request of many I write to ask you whether or not anything would be gained by settlers giving power of attorney, etc., as they do not wish to go into the matter unless there is a chance for them to recover without any further action on the part of Congress.

I send the inclosed letter to the desk and ask that it may be read.

The VICE-PRESIDENT. The letter will be read if there be no objection.

The Chief Clerk read as follows:

WASHINGTON, D. C., January 3, 1893.

DEAR SIR: Upon making a careful examination of the laws relative to the Northern Pacific grant we find that the Land Office had no authority to raise the price of the lands within the limits of the grant from Wallula to Portland to \$2.50 per acre; consequently you were overcharged \$200 on your pre-emption entry in 1888, which sum we can recover for you by suit in the Court of Claims if the case is sent on before it is barred by the statute of limitation, which will be within a short time now. We will pay all the expenses and furnish all the evidence that will be necessary from the records here. Our fee will be 25 per cent of the amount recovered, which will include all charges of every kind, and is not payable until you are in receipt of the money.

We refer to Senators CARLISLE and PERKINS, and to Mayes & Co., bankers, of this city.

Very respectfully,

HARVEY SPALDING & SONS.

Mr. DOLPH. Mr. President, there was no mistake of the Interior Department in charging \$2.50 an acre to pre-emption and homestead claimants within the land grant of the Northern Pacific Railroad Company or any other grant. Only occasionally did a person pay \$2.50 an acre who should have paid \$1.25 an acre. I know of but two such persons, and I secured the passage of a bill through the Senate the other morning to refund the difference in amount to them.

This claim agent refers to the claims of homestead and pre-emption settlers to have refunded to them \$1.25 an acre of the \$2.50 an acre paid by them for their commuted homestead and pre-emption entries before the forfeiture act was passed. It is known that there was passed through the Senate at the last session by a bare majority, most Senators on the other side of the Chamber opposing it, a bill to refund to people not only within the forfeited limits of the Northern Pacific grant, but within the forfeited limits of all grants, the \$1.25 an acre.

The bill has not as yet received action in the other House, and this gentleman has undertaken to forestall this matter and get control of the claims and obtain a portion of the money. He can not retard or prevent the passage of the bill through either House of Congress; he can not aid in it or be of any assistance to these people, and it is a fraud which I hope I have sufficiently ventilated.

Mr. COCKRELL. I suggest to the Senator from Oregon, as the bill has not become a law, that before it shall become a law a provision be inserted that no part of the money shall be paid to anybody on the face of the green earth except directly into the hands of the claimants.

Mr. DOLPH. I will see that the suggestion is made to the appropriate committee of the House of Representatives to-day, although I fear the bill will not receive favorable consideration there.

Mr. BERRY. I do not think there is any probability that the bill will become a law.

REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (H. R. 10042) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended March 2, 1889, reported it with amendments.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 3363) for the relief of the heirs of Jacob R. Davis, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 3789) to authorize the investigation by the Attorney-General of certain claims alleged to be due the late

proprietors of the Knoxville Whig for advertising, and authorizing the payment therefor by the Secretary of the Treasury of any amounts found by the Attorney-General to be legally or equitably due, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 3798) to authorize the building of a railroad bridge at Little Rock, Ark., reported it with an amendment.

MARITIME OFFENSES.

Mr. HOAR. I am directed by the Committee on the Judiciary to report a bill to provide for the punishment of offenses on the high seas.

The bill (S. 3806) to provide for the punishment of offenses on the high seas was read twice by its title.

Mr. HOAR. This is a very necessary bill. A similar measure passed the Senate, I think unanimously, a few weeks ago; but I have received a communication from gentlemen very near the President suggesting that the second section, which provides as to any person who shall willfully assault or strike another on the high seas, would make punishable as it stands a person who committed a justifiable assault, or a captain who used his coercive authority over a sailor. I do not agree at all to the criticism, because I am quite certain that the court would hold that the word "assault," being a common law word, would be construed by the common law, and at the common law excuses and justifications are recognized by the court.

But it has been thought best by the committee, instead of having the bill defeated, to report a new bill, making a slight change in the second section. This bill is *verbatim et literatim* the same as the bill which passed the Senate, except it provided for the punishment of any person who shall on the high seas "willfully and without lawful justification or excuse assault," etc.

Mr. FRYE. I hope that unanimous consent will be given for the immediate consideration of the bill. There will be no necessity to read it. All that will have to be read will be the amendment, and that consists of but a few words.

Mr. HOAR. Let the second section be read as proposed to be amended.

Mr. FRYE. A similar bill passed both Houses, and the bill was brought back from the President by a concurrent resolution. It will not take a moment.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE-PRESIDENT. The second section of the bill will be read as reported by the committee.

The Chief Clerk read as follows:

Sec. 2. That every person not one of the crew who, upon the high seas, or other waters within the admiralty jurisdiction of the United States, and out of the jurisdiction of any particular State, on board any vessel belonging in whole or in part to the United States, or any citizen thereof, shall willfully and without lawful justification or excuse assault, strike, or injure another, shall be punished by a fine not exceeding \$1,000 or by imprisonment at hard labor not exceeding two years.

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. PERKINS introduced a bill (S. 3807) granting a pension to Margaret Brennan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 3808) amending the charter of the Maryland and Washington Railway Company; which was read twice by its title and referred to the Committee on the District of Columbia.

Mr. JONES of Arkansas, introduced a bill (S. 3809) for the relief of the estate of James Scull, late of Arkansas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3810) for the relief of the firm of Bertrand & Scull, of Arkansas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 3811) to amend an act entitled "An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

AMENDMENTS TO BILLS.

Mr. HALE submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HUNTON submitted an amendment intended to be proposed by him to the diplomatic and consular appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Foreign Relations.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 7691) to amend an act entitled "An act to repeal timber-culture laws, and for other purposes;" which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FRYE submitted an amendment intended to be proposed by him to the bill (S. 3736) requiring the Secretary of the Treasury to secure a bond from the corporation known as the World's Columbian Exposition before the coins provided for by chapter 381, Statutes of the United States, first session Fifty-first Congress, are delivered to said corporation; which was referred to the Committee on the Quadro-Centennial (Select), and ordered to be printed.

Mr. CAREY and Mr. PETTIGREW submitted amendments intended to be proposed by them respectively to the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof; which were ordered to be printed.

HOUR OF MEETING.

Mr. ALLISON. I ask unanimous consent that on Friday next, and thereafter, the sessions of the Senate shall begin at 11 o'clock instead of 12.

Mr. SHERMAN. Unless otherwise ordered.

Mr. ALLISON. Unless otherwise ordered.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Iowa?

Mr. HARRIS. Why not begin on Monday to meet at 11?

Mr. ALLISON. I think by beginning on Friday we shall give every Senator notice enough.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Iowa, that on and after Friday next sessions of the Senate shall commence at 11 instead of 12 o'clock, unless otherwise ordered. The Chair hears no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution to print 6,000 copies of House Report No. 2309 on the sweating system; in which the concurrence of the Senate was requested.

ORDER OF BUSINESS.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VIII is in order.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof. It is the first House bill on the Calendar.

Mr. SHERMAN. Let us have the regular order.

Mr. DAWES. I move that the Senate proceed to the consideration of the fortifications appropriations bill.

The VICE-PRESIDENT. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The motion was agreed to.

Mr. PETTIGREW. Will the Senator from Massachusetts now yield to me for the purpose of calling up House bill 7028?

Mr. COCKRELL. I wish to say to the Senator from South Dakota that there are about fifty-five House bills on the Calendar which have been reported favorably. Some of them are pension bills, and all of them could be passed in a very short time. I must object to taking up any one of them until we can assign half an hour or an hour for the consideration of the House bills on the Calendar in their regular order. By that course we would consume one-fourth less time than if Senators have to ask that the bills be taken up. I hope the Senator from Massachusetts will not yield.

Mr. DAWES. The Senator from South Dakota knows that personally I would not object, but the Committee on Appropriations having the right of way it would evidently be unfair to get the floor and then yield to other business. The Senator must excuse me.

Mr. PETTIGREW. Then I ask unanimous consent that immediately after the disposition of the fortifications appropriation bill the House bills on the Calendar shall be taken up in their order.

Mr. HARRIS. Does the Senator mean House bills of any particular character?

Mr. PETTIGREW. No; the House bills.

Mr. COCKRELL. The House bills favorably reported.

Mr. PETTIGREW. Yes, favorably reported to the Senate.

Mr. BLACKBURN. That is to be done, I understand, in the morning hour.

Mr. PETTIGREW. No, not necessarily. We may do it today. It may take only an hour.

Mr. BLACKBURN. Does the proposition include House bills which have been reported from Senate committee's with amendments?

Mr. PETTIGREW. I think so.

The VICE-PRESIDENT. The Chair understands the request to apply to all House bills on the Calendar favorably reported.

Mr. BLACKBURN. Very well.

Mr. ALLISON. I shall object to any order of business that will interfere with taking up the appropriation bills when they are ready, and there are two appropriation bills lying behind the one which has just been taken up.

Mr. PETTIGREW. I ask that the order be made subject to appropriation bills.

Mr. ALLISON. I understood the Senator from South Dakota to request unanimous consent to take up the House bills without any exception.

Mr. PETTIGREW. No, subject to appropriation bills.

Mr. BLACKBURN. Certainly, the order should not interfere with the appropriation bills.

Mr. PLATT. I do not wish to be captious, but I can not give my consent to such an order at the present time. If the fortifications appropriation bill runs until 2 o'clock the morning hour will have passed away, and I certainly feel that I should then have a right, if other appropriation bills are not ready, to ask the Senate to continue the consideration of the Cherokee Outlet bill. I can not consent just at this time. I am anxious to have all the House bills on the Calendar disposed of, but I must withhold my consent now.

The VICE-PRESIDENT. Objection is made to the request of the Senator from South Dakota.

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. The fortifications appropriation bill will be proceeded with.

ADDITIONAL QUARANTINE POWERS.

Mr. HARRIS. I ask the Senate at this time to consider the bill (H. R. 9757) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service, which was reported by me yesterday, striking out all after the enacting clause and inserting the bill exactly as it passed the Senate, with the exception that the appropriation of \$1,000,000 is stricken out of the bill as it passed the Senate. If it leads to debate or is going to consume time I shall not ask to trespass upon the time of the Committee on Appropriations in the Senate; but it is very important that the Senate shall take up the bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Tennessee?

Mr. DAWES. I beg the Senator not to press me any further until we get through with the fortifications appropriation bill.

Mr. HARRIS. I will say to the Senator that it is very important that whatever action the Senate is going to take it shall take promptly. The bill will necessarily go to conference, and I hope it may be put on its passage now.

Mr. DAWES. I am aware of the importance of the measure, but I refused to yield to the Senator from South Dakota on the ground that the Appropriations Committee have the right of way, and ought not when they get it to deal out the floor to others. Although I agree with the Senator from Tennessee in all this matter, I think I ought to deal the same way with him that I did with the other.

Mr. HARRIS. How does the Senator obtain the right of way for the appropriation bill during the morning hour?

Mr. DAWES. By a vote of the Senate.

Mr. HARRIS. By a vote of the Senate taken when?

Mr. DAWES. A little while ago. I do not know the exact time, but—

Mr. HARRIS. I am not particular about the exact time. If the Senate has by a vote taken up the appropriation bill in the morning hour the Senator is quite right, and if I can not persuade him to yield to me for this purpose I am bound to yield to him.

Mr. DAWES. The Senator knows my infirmity.

CONSIDERATION OF HOUSE BILLS.

Mr. FRYE. I ask unanimous consent that the House bills on the Senate Calendar be taken up for consideration in the morning hour of Saturday.

Mr. HALE. Subject to appropriation bills.

Mr. FRYE. Subject to appropriation bills.

Mr. PLATT. And under the five-minute rule.

Mr. FRYE. Under Rule VIII.

Mr. COCKRELL. The bills are to be considered subject to objection, under Rule VIII.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Maine that the House bills on the Calendar favorably reported be considered in the morning hour of Saturday?

Mr. HARRIS. I do not object, but I must give notice that I shall ask the Senate at every proper time, and perhaps at improper times, to consider the bill to which I have just called attention.

The VICE-PRESIDENT. The Chair hears no objection to the request made by the Senator from Maine [Mr. FRYE], and it is so ordered. The appropriation bill will be proceeded with.

FORTIFICATIONS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The Secretary continued the reading of the bill. The next amendment of the Committee on Appropriations was, on page 4, line 9, before the word "thousand," to strike out "five hundred" and insert "seven hundred and fifty;" so as to read:

To provide for payments that may become due in the purchase or manufacture of machine tools and fixtures to complete the equipment of the south wing of the Army gun factory, Watervliet Arsenal, West Troy, N. Y.; steel breech-loading rifled seacoast mortars of 12-inch caliber; oil-tempered and annealed steel for high-power coast-defense guns of 8, 10, and 12 inch caliber; carriages for breech-loading rifled mortars of 12-inch caliber, and carriages for mounting new steel breech-loading 8, 10, and 12 inch guns, procured under provisions of the fortifications act approved July 23, 1892, said payments being in excess of the money therein appropriated for these objects, \$750,000.

Mr. HAWLEY. Mr. President, I intended to ask the committee having the bill in charge a question yesterday, and I think now is a good time to have something in the way of an explanation. I do not know if any written report accompanied the bill. I did not find it. What I wish to know, however, I think had better be stated by the Senator having the bill in charge, so as to make it a matter of record.

The appropriations carried by the fortifications appropriation bill this year are very much less than they were last year. The committee has reported certain increases as amendments to the House bill, making a very considerable increase; but I wish the Senator from Massachusetts would make some general statement, telling us why it is that when we are in the full tide of successful experiment and of regeneration, so to speak, of our coast defenses, we are called upon to make a reduction amounting to perhaps 50 or 100 per cent of the appropriations made last year.

I wish the Senator would tell us distinctly where the changes are. They do not appear in the bill. It takes considerable work, consulting the estimates and the reports of the Bureau of Ordnance to tell where the large reductions take place which were made in the bill as it passed the other House. We can see by the text in italics where the Senate committee proposes to increase the items. I wish the Senator would tell us why it is that there is this sudden and tremendous decrease, putting in some respects a stop to a highly patriotic and absolutely indispensable work.

Mr. DAWES. Mr. President, if the Senator will turn to the report which accompanies this bill he will find in general terms an answer to his very proper point, though perhaps not in sufficient detail to meet every inquiry. He will find on the first page of the report that the amount of estimates for 1894, including supplemental estimates, was \$7,642,512.97. The bill as it came from the House to the Senate appropriated \$1,735,055. The Senate committee have recommended an increase of \$710,000. The amount of the bill as reported to the Senate is \$2,445,055, and the act for 1893 appropriated \$2,734,276. The bill as reported is less than the estimates by \$5,197,457.97, and the bill as reported is less than the act for 1893 by \$289,221.

The items of increase recommended by the committee of the Senate are as follows:

For construction of gun and mortar platforms	\$50,000
For sites for fortifications	500,000
For preservation and repair of fortifications	10,000
To make payments falling due within the fiscal year 1894 under contracts for steel, guns, mortars, carriages, etc.	250,000
For steel breech-loading rifled mortars of 12-inch caliber	100,000
 Total increase	 710,000

If the Senator will observe, there is not such a striking difference between the bill as it came from the House and the law of last year as would appear from the estimates. The estimate is for \$7,642,512.97, while the bill last year was for \$2,734,276. The great difference between the estimates and last year's bill arises from the fact that a large appropriation was made to be extended over several years, but in the bill which authorized the appropriation it was provided that only a limited sum should be expended each year.

The sum to be expended last year brought the amount from \$7,000,000 down to two million and odd dollars. This year with the same method of appropriation, appropriating a considerably larger sum to extend over several years, the House committee have nevertheless failed to authorize as large an expenditure this year as they did last year by the sum I have already stated. That difference lies mainly in two items, the item for meeting contracts already outstanding for the purchase of material and the construction of the rough parts of the guns before they are assembled. The House of Representatives have failed to meet what would become due by the terms of the contracts outstanding during this fiscal year.

The next considerable deduction lies in the amount to be appropriated for the assembling and finishing of guns and the construction of guns at the Watervliet Arsenal. If those two items had been equal to the appropriation last year, there would have been very little difference in the aggregate appropriations between the two years. The Senate committee, as the Senate will observe, have met those two deficiencies to a considerable extent, though not to the full.

The amendment now proposed is to strike out \$500,000 and insert \$750,000 to meet contracts which will become due during the next fiscal year. There was estimated for that purpose a little over a million dollars, as the Senator from Connecticut will observe. The House of Representatives appropriated but half a million dollars. They fixed upon that sum under the idea that, although the contracts by their terms would become due and would call upon the Treasury if they were fulfilled to the letter for \$1,600,000, or a little more, nevertheless if they appropriated \$500,000 to meet those contracts, there would be sufficient to meet all the contracts to become due by April or May of the next year. The House committee expressly stated to the Ordnance Department that they expected the next Congress would meet the difference between the amount they appropriated and what was necessary to meet every contract which became due in July, 1894.

Upon further investigation and examination by those having the matter in charge, it became evident to the Senate committee that, while it is true by the letter of all these contracts there would be a call for a million dollars or a little more, nevertheless the universal experience is that there are delays constantly in completing these contracts; that while there might be called for, under the letter of the contracts, a million dollars and over, there would not be called for by the actual completion of the contracts before the year was out more than \$750,000.

The Senate committee thought it was not unreasonable in making appropriations to take cognizance of that fact. As a business man would say: "I have an outstanding contract which requires on the 1st day of next July the payment of so much money, yet I know, with the experience I have had with such contracts, that all of them will not be fulfilled before that time, and that about \$750,000 will meet them;" the committee thought it would be fair to make provision for \$750,000, inasmuch as if peradventure every one of them should be fulfilled before July Congress could take care of that difference. That is why this \$500,000 appropriated by the other House to meet contracts which amount to \$1,000,000, has been raised to \$750,000.

As to the other matter, for the purchase of steel and for the supply of the gun factory, it was stated that it was necessary to have for that purpose the full amount of the estimate, \$1,180,000. The appropriation by the House was only \$600,000, and the committee of the Senate have reported in favor of increasing that \$100,000, I think.

It was the desire of the Department, having got the Watervliet Armory now so as to be able to carry on the complete work of producing all the guns except the 16-inch guns, to keep it in full operation. The committee have gone as far in that particular as they thought they were able to carry it—not enough to keep it in full operation for the complete year, especially if the Department should undertake the manufacture of a 16-inch gun, which is not as yet provided for, but sufficient to keep the armory substantially in full operation for nearly the year ending in 1894.

Just so far as was necessary to keep it in full operation and carry on the general purpose, which all of us here in this body are in harmony in respect to, the Senate committee have been desirous of making provision in this bill. They have not, how-

ever, lost sight of the fact that they must measure their efforts in that direction by possibilities sometimes, rather than by what they think they would desire to do.

Mr. GORMAN. Mr. President, I only wish to add one word to what has been so well said by the Senator from Massachusetts [Mr. DAWES], who has charge of this bill, as to the necessity for the increases recommended by the Committee on Appropriations in these various items.

This bill as it came from the House of Representatives carries an appropriation of \$1,735,055; as reported by the Senate committee there is an increase of \$710,000. I am perfectly well aware, Mr. President, that the condition of our finances makes it absolutely necessary that the greatest economy should be exercised in the matter of appropriations at this session, and probably for some time to come. I, for one, would be very reluctant indeed to recommend any increase of appropriations in these bills unless, in my judgment, such increase was absolutely necessary for the interests of the Government.

The Senator from Connecticut [Mr. HAWLEY] has called special attention to the increase of \$250,000 on account of contracts heretofore made. That, with the recommendation for the purchase of sites as recommended by the Committee on Appropriations, is the largest increase in the bill.

Under the various acts authorizing the purchase of steel for making steel guns, the Secretary of War was authorized to enter into contracts for delivery of such steel as was necessary for the work, and the contracts have been made. The amounts due the contractors are perfectly well known and ascertained.

There will fall due for all that will be delivered during the year over a million dollars, and the bill as it came from the House makes provision only for the payment of whatever may be delivered up to March or April of next year. It is an innovation upon appropriations, and it is substantially so stated in the report made to another body that they would appropriate to March or April of next year, a time which, in the ordinary course of affairs, would make it impossible for an appropriation bill to be passed to provide for the payments which will fall due.

I think it would be bad policy on the part of Congress at this time or any time, after having authorized contracts to be made, not to make provision for the payments on those contracts as they fall due. It would lead hereafter to great confusion in the accounts, and unquestionably it would lead to great injustice being done to the present contractors. In my opinion the Government will be prevented in the future from making fair contracts as to prices and times of delivery unless we observe the rule which common fairness and honesty require, that where a contract has been made we should make provision for its payment.

The Senator from Massachusetts has explained the reason why we have not given the full amount of \$1,176,000. It was on account of the failure of the contractors to deliver within the time specified in the contracts, and it is believed that \$750,000 will cover the amount which will be delivered.

Mr. HAWLEY. Mr. President, I am afraid the Senator from Maryland [Mr. GORMAN] misunderstood me. He has been explaining in such a manner as to lead me to think that perhaps he supposes I am objecting to the increase from \$500,000 to \$750,000. I do not object; and my friend on my left [Mr. ALLISON] is smiling because he knows that I am the person who complains that the whole bill is only about half of what it ought to be.

Mr. PLATT. Not that.

Mr. HAWLEY. No, it is not one-half of what it ought to be; and I am complaining that the whole scheme of repairing and properly arming the fortifications and coast defenses of the country is going on at a limping and altogether insufficient and unpatriotic rate.

The other House appropriated \$500,000 to meet contracts which might call for a million; and that is called economy. They appropriate \$800 to pay a thousand-dollar note, and then they appropriate \$200 in the shape of a deficiency bill. That is the modern style of economy exhibited very fairly in the enormous amounts required in deficiency bills.

It is possible that this \$750,000, as I understand the Senator from Maryland, and as I have understood otherwise, may not be sufficient to pay for the work that will come in during the next fiscal year. I have reason to believe from good authority that it will be necessary to intimate to the manufacturers of the rough parts of the great guns that they need not make and need not deliver them as rapidly as we intended, because, owing chiefly to the action of one of these Houses, there will not be money enough on hand to pay if the contractors should keep their contracts.

It is true that it is better to do as the Senate is doing, appropriate even three-quarters of what is needed, and then intimate that the contractors need not furnish the guns so fast; but it would be still better to appropriate sufficient money and hurry them up.

There is about two and a half million dollars provided here for

the building, I might say creating *ab initio* the defenses for five or six thousand miles of coast, and yet we are going on in a happy-go-lucky, optimistic way as if we were assured that there will be no trouble whatever, while even people unofficially, outside, are talking largely about what we will do in a certain emergency which may be upon us any day when we have absolutely nothing whatever to fight with.

That appropriation should have been much larger than this, and it should have been much larger for the rifled mortars of 12-inch caliber than \$300,000, and there should have been a very much larger sum appropriated to buy sites for fortifications and coast defenses.

The engineer officers have carefully examined the whole coast of the United States, and the bays and the rivers upon which great cities are built. They know precisely where they want defenses and of what character. They are fully up with modern science, and they know where the fortifications ought to be. They have their eyes upon the precise lands and the precise area which are needed, and the sooner those lands are purchased the more economical they can be bought.

Many of them are in such places that they will come to be in demand by and by for summer hotels and pleasure resorts, and all that. Men who are engaged in land speculations of that description have a very shrewd suspicion of the spots the Government may desire to buy. I need not say any more. Everyone will see that the Government will have to pay inevitably about two, three, four, or five years hence a great deal more money than it will have to pay now if the War Department is authorized quietly to purchase these sites in time. There was nothing whatever for this very important matter in the bill as it came to the Senate, and the Senate has put in \$300,000, whereas there was last year \$500,000 appropriated. As we know, nothing whatever can be done to begin some of the most important fortifications until the sites shall have been purchased.

I suppose, however, it is quite useless to prepare a series of amendments to this bill pointing out and exhibiting the sums which ought to be appropriated. I could not do myself justice in any sense whatever unless I should attempt to completely reconstruct the whole thing and show that five or six or seven million dollars out of an expenditure of \$400,000,000 would be a modest sum in endeavoring to put the country in a condition of decent defense.

I have been told, not exactly officially, however, by those who ought to know, that even this bill as the Senate committee has increased it, is not expected to be enough for the next fiscal year; but it is thought that if these people can get along decently and economically with the money on hand, we may be able next December or next January to pass a supplemental fortification bill and help the country out.

There are a great many important interests calling for large sums of money, but I think there are few of them in which it would not be easier and more proper and more patriotic to make a reduction than to make it here.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 4, after line 20, to insert:

Steel breech-loading rifled mortars of 12-inch caliber, \$300,000.

Mr. COCKRELL. I wish simply to say that I think that is an expenditure which is not justified at this time. I think it is far more than ought to be expended for the purpose. I opposed the amendment when it was offered in the committee, and I now desire to enter upon the RECORD my opposition to it.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 5, line 3, to increase the total amount of the appropriations for "the armanent of fortifications," from "\$900,000" to "\$1,200,000."

Mr. PLATT. Mr. President, I perhaps might as well make some remarks which occur to me at this stage of the bill as at any other, not at length, however.

I regard this whole bill as evincing a deliberate determination on the part of Congress not to do anything particularly relating to our coast defenses or the fortification of our coast. For my part I had just as lief that there should not be in it a provision for the manufacture of a gun or the purchase of a site or a mortar or a gun carriage as to have what we have in the bill. It is entirely inadequate. Unless we are going to adopt a plan of fortifications in some degree commensurate with our necessities, it seems to me a great deal better not to expend any money at all.

This bill has been cut down from the estimates of the War Department \$5,197,000. The Chief of Ordnance had his attention called to the fact that there was a desire that the estimate

should be reduced, and he sent a letter to the Committee on Appropriations, in which he made all the reduction which he thought could be made properly and consistently to carry out the hitherto adopted policy of the Government to manufacture guns. The conclusion to which he came was that there is required upon the lowest estimates, practically \$2,500,000 for guns and gun carriages. I figured it up hastily, and may have made some mistakes, but I make it \$2,466,700.

Though the Chief of Ordnance, when told that he could not get very much, that he could not get what the Government ought to appropriate to carry out existing projects for the manufacture of guns, says practically that the least he can get along with is \$2,500,000, this bill, I understand, although amended by the Senate committee, proposes to expend \$1,200,000, just half of what he says is the lowest that he can estimate, and the bill provides that only \$500,000 of the amount shall be spent in the year between June 30, 1893, and June 30, 1894.

I wish to call attention to the fact that this is a practical abandonment of any disposition for fortifications or guns or the project of putting our country in a condition of defense. I suppose it is hopeless to go against what the committee has agreed to here, I suppose, because they felt that it was impossible to get anything else, and perhaps even impossible to get what they have recommended by way of addition. I suppose it is useless to propose amendments; but when the very lowest estimate which the officers in charge of our Ordnance Departments say we can get along with, in view of what they understand to be a disposition not to appropriate very much money, is \$2,500,000, I want to enter my protest against the proposition to reduce it to \$500,000 for the next year.

Mr. President, it seems we forget that we have become a great country; it seems that we forget that to carry on the operations of a great country costs some money; and the feeling of economy which seems to have taken possession of Congress, in so far as it neglects to provide for the necessary expenses of a great country, is something which I can not understand. If we do not need any coast defenses, if we do not need any fortifications, if we do not need to build any guns, do not let us appropriate any money for that purpose.

We are not appropriating money to keep our shops in operation with our limited facilities for manufacturing guns. If they are not to be closed, their business is to be largely reduced and many of the skilled mechanics and persons who are competent to manufacture guns are to be dismissed from employment and to seek other employment. Why appropriate \$500,000 for next year for guns and gun carriages when, at the lowest, two millions and a half have been asked for? That sum will merely keep the shops open and keep a few people at work; it will do nothing practically towards providing for the defense of our country.

I have not any patience with this kind of economy. It does most expensively what is done; it does nothing which is adequate to the condition and needs of our country; and I had much rather see this whole appropriation for guns stricken out, and see our shops closed absolutely, as they will be practically, than to go on with the idea that we have made some appropriation to let the country understand that we have been doing something to provide for coast defenses and the manufacture of guns which are needed for coast defenses.

Having said this, and to a certain extent relieved my mind, I suppose that I have to submit to the policy which seems to have been determined upon, I will not say in the Senate, but in another place.

As a new Administration is about coming into power, I might as well say now that I hope the people who represent that Administration will in some way arise to a patriotic consideration of the needs of this country, to a patriotic purpose not to belittle their own country, and to a purpose to do what is necessary to put our country in a reasonable condition of defense.

Mr. DAWES. Mr. President, it is no part of my desire or duty to defend the bill as it came to this body. I have no disposition to antagonize the Senator from Connecticut [Mr. PLATT] in any position which he takes, except one. I am quite in harmony with him in the desire to carry on the great work of defending our coast properly, and of expending all the necessary money for it. I have heretofore in this body struggled with his help—and I wish to acknowledge that help—to carry the appropriations much further than I have ever succeeded in doing; but I want to protest against his statement that it is better to abandon the whole work than to accept what we get in this bill. It is not just to either branch of Congress.

While we may criticise details, it ought not to be said to the country that we are doing nothing. We are not doing all we should do, very far from it, and I do not think we shall be held excused for not doing much more than we propose to do in this bill; but by this bill we appropriate within a few hundred thousand dollars as much as we did last year and as much as we have

done in years heretofore. Under the appropriations which we have made heretofore we have made such progress in the defense of our coast as is worthy of some measure of commendation.

If it is true that we had better abandon the work than to make these partial appropriations, that would also be true as to all the appropriations we have made in the last five years. Yet what have we accomplished? We have built, under these appropriations, the most magnificent gun factory at Watervliet that exists anywhere in the world, with all the modern appliances which can be found anywhere. We have produced an establishment at Bethlehem for the production of the necessary material out of which guns are to be made, which is the marvel of the world. We have constructed some of the guns necessary for this work. We have type-carriages already, the construction of which was a difficult matter and required appropriations. There are others still in embryo which yet may be brought into the service.

While a good deal the Senator has said is just, it is not fair to the efforts made in either House or to the appropriations made in this bill, to bring upon us this wholesale condemnation. I will not permit the Senator from Connecticut to go one inch further than I do in the advocacy of earnest and untiring effort to accomplish this great result; but I must say that something has been accomplished and something will be accomplished under the bill. That great armory will be substantially employed three-quarters of the year by this appropriation, though I admit there ought to be appropriations for keeping it in full operation during the whole year. There will also be met all the contracts which we have heretofore made which are likely to become due.

I agree with the Senator from Maryland [Mr. GORMAN], as well as with the Senators from Connecticut, that every business man would prepare and keep such an amount on hand as would meet to the letter all his engagements; but I do not think it is quite fair to say that in the last five years the struggles of the Senate and House committees to accomplish this great work have been as nothing and had better be put an end to. We have accomplished something, and for that something we are entitled to some credit.

Mr. PLATT. Mr. President, no one appreciates more than I the efforts which have been made by the Senator who has just taken his seat and who has had charge of the fortification appropriation bills to do something which is requisite in the line of coast defense and fortifications, and if I said anything which he feels is in any way a reflection upon his efforts I beg to withdraw it.

Mr. DAWES. Oh, Mr. President, I did not think the Senator aimed a single word at me. I thought I saw very clearly the mark he was shooting at.

Mr. PLATT. My point is that with a present emergency to do something we do so little, that doing anything operates to deceive the country and give it the idea that we are doing something adequate but utterly fails to accomplish the purpose which the country wishes accomplished. I should like to put into the RECORD, supplementing my remarks, the letter which was written to the Committee on Appropriations by the Chief of Ordnance on the 10th of January, 1893, if there be no objection.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The letter referred to will be inserted, if there be no objection. The Chair hears none.

Mr. PLATT. I wish first to read one clause from the letter which I think justifies me in what I have said. The Chief of Ordnance says:

The annual estimates submitted by the Department for the armament of fortifications were prepared with great care, and were based on the supplies required for meeting current issues to the service, the capacity of the Gun Factory and other establishments for economical manufacture, and the most economical prosecution of the work of providing guns, carriages, etc., for armament.

Now, listen to this:

A reduction in those estimates—

That is the first estimate, which I think ran over \$3,000,000—

A reduction in those estimates would curtail either the necessary supplies for the service, or would render more or less idle the expensive plants established by Congress for the manufacture of guns, carriages, etc., which will increase the cost of manufacture and seriously delay the completion of the much-needed armament for the coast.

I think I am right in saying that those original estimates were over \$3,000,000. When the Chief of Ordnance was called upon to reduce them as low as he possibly could, in view of the prevailing sentiment that we should expend just as little money as possible, he brings them down to two and a half million dollars, the House reduces them to \$900,000, and provides that not more than \$400,000 shall be spent during the next year. The Senate committee increases the House item from \$900,000 to \$1,200,000, and the amount to be expended within the next year to \$500,000.

These estimates were made for the year from July 1, 1893, to July 1, 1894; they were originally \$3,000,000 and more—I have not the exact figures—but they were said to be necessary to meet the current service, necessary to keep the shops at work, and here we have \$500,000 appropriated for that purpose. Anybody who knows anything about business knows that practically we might just as well do nothing. That is all I intended to say.

The letter referred to by Mr. PLATT is as follows:

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, D. C., January 10, 1893.

SIR: In reply to letter of January 7, 1893, from the Senate subcommittee on fortification appropriation bill, requesting that the Department examine the bill which passed the House of Representatives on the 5th instant, and inform the committee if the bill meets the necessities and requirements of the public service, and if not, what amendment thereof for the purpose the Department would suggest, I have the honor to state that I have examined the bill, and report as follows:

The annual estimates submitted by the Department for the armament of fortifications were prepared with great care, and were based on the supplies required for meeting current issues to the service, the capacity of the gun factory and other establishments for economical manufacture, and the most economical prosecution of the work of providing guns, carriages, etc., for armament. A reduction in those estimates would curtail either the necessary supplies for the service, or would render more or less idle the expensive plants established by Congress for the manufacture of guns, carriages, etc., which will increase the cost of manufacture and seriously delay the completion of the much-needed armament for the coast.

The estimates submitted were made as low, it is believed, as is consistent with the requirements of the public service. In the fortification bill, as it passed the House, the sums to be appropriated under the various headings are very much less than those submitted in the Department's estimates.

The fortifications act approved July 23, 1892, authorized the Secretary of War to expend specific sums, in the purchase or manufacture, for machine tools and fixtures to complete the equipment of the south wing of the army gun factory; steel breech-loading rifled seacoast mortars of 12-inch caliber; oil-tempered and annealed steel for high-power coast-defense guns of 8, 10, and 12 inch caliber; carriages for breech-loading rifled mortars of 12-inch caliber; and carriages for mounting new steel breech-loading 8, 10, and 12 inch guns, but only appropriated for the above objects sufficient money to meet such payments as would fall due within the fiscal year, that is, before June 30, 1893, with the understanding that Congress at this session would then make another appropriation to meet the payments for the above objects (and within the amounts allowed under each) that would fall due in the next fiscal year, that is, the year ending June 30, 1894. My estimate then included the sums necessary for making the above-mentioned payments.

The bill returned herewith proposes to appropriate much less than the amounts that would be required for meeting engagements during the whole fiscal year, but it has provided for the payments that will fall due before the end of January, 1894, and I was informed by the committee that the next Congress, immediately after its first session commences, would provide the balance of the sums necessary to meet engagements entered into, and make the necessary payments during the remainder of the fiscal year.

There are some important items of the estimates either omitted entirely, or for which the sums to be appropriated by the bill are too small, and which, it is understood, will remain so unless increased by the Senate. These items are as follows, and I would recommend that they be increased to the amounts named, and for the reasons which are set forth in the Book of Estimates:

For steel field guns of 3.2-inch caliber:

Amount submitted in the estimates \$25,000
Amount allowed by House bill 9923 15,000
I recommend that there be appropriated the sum of 25,000

For carriages for field-gun batteries:

Amount submitted in the estimates 61,000
Amount allowed by House bill 9923 30,000
I recommend that there be appropriated the sum of 61,000

For steel breech-loading rifles, siege, of 5-inch caliber:

Amount submitted in the estimates 33,000
I recommend that there be appropriated the sum of 33,000

For steel breech-loading rifled howitzers, siege, of 7-inch caliber:

Amount submitted in the estimates 34,000
I recommend that there be appropriated the sum of 34,000

For carriages for steel breech-loading rifles, siege, of 5-inch caliber:

Amount submitted in the estimates 30,000
I recommend that there be appropriated the sum of 30,000

For carriages for steel breech-loading rifled howitzers, of 7-inch caliber:

Amount submitted in the estimates 35,000
I recommend that there be appropriated the sum of 35,000

For siege breech-loading mortars, steel, of 7-inch caliber, including carriages and platforms for same:

Amount submitted in the estimates 30,000
I recommend that there be appropriated the sum of 30,000

For sights for cannon and for fuzes:

Amount submitted in the estimates 11,000
Amount allowed by House bill 9923 5,000
I recommend that there be appropriated the sum of 11,000

For powder for issue to the service:

Amount submitted in the estimates 42,700
Amount allowed by House bill 9923 35,000
I recommend that there be appropriated the sum of 42,700

For projectiles for issue to the service:

Amount submitted in the estimates 36,000
Amount allowed by House bill 9923 30,000
I recommend that there be appropriated the sum of 36,000

For steel deck-piercing shell for 12-inch breech-loading mortars:

Amount submitted in the estimates 54,000
Amount allowed by House bill 9923 30,000
I recommend that there be appropriated the sum of 54,000

For the purchase and erection of steel plates for the test of deck-piercing shell:

Amount submitted in the estimates 8,000
Amount allowed by House bill 9923 7,500
I recommend that there be appropriated the sum of 8,000

For steel armor-piercing shot for seacoast breech-loading guns:

Amount submitted in the estimates 100,000
Amount allowed by House bill 9923 40,000
I recommend that there be appropriated the sum of 100,000

For the purchase and erection of armor plates for the test of armor-piercing shot:

Amount submitted in the estimates	\$28,000
Amount allowed in House bill 9923	16,000
I recommend that there be appropriated the sum of	28,000
For steel breech-loading rifled mortars of 12-inch caliber:	
Amount submitted in the estimates	500,000
I recommend that there be appropriated the sum of	350,000

This sum is much less than the original estimate, but will suffice to procure about twenty-five steel mortars, including the forgings therefor, with the seven steel mortars provided by the act of July 23, 1892, will suffice for equipping two batteries complete with steel mortars. Considering the comparative cheapness and efficiency of these mortars and the large number required for coast defense, the sum above recommended is undesirably small and no further reduction, it is thought, should be made.

For oil-tempered and annealed steel for high power coast-defense guns of 8, 10, and 12 inch caliber:

Amount submitted in the estimates (exclusive of forgings for 16-inch gun)	\$1,065,000
Amount allowed by House bill 9923	600,000
I recommend that there be appropriated the sum of	800,000

The amount in the estimates, \$1,065,000, was a careful estimate for providing for the delivery of forgings at the gun factory in such quantities and at such times as would provide for keeping all of the machines of the factory fully employed. So great a reduction in the amount as that proposed would be a serious matter. As I understand some reduction is desired I have revised the estimate to provide for a less reduction than that above.

For carriages for breech-loading rifled mortars of 12-inch caliber:

Amount submitted in the estimates	\$289,000
Amount allowed by House bill 9923	100,000
I recommend that there be appropriated the sum of	289,000

The Department has adopted a satisfactory type of mortar carriage and is now engaged in manufacturing them in quantity. The above sum is required to procure the carriages remaining to be provided for the mortars that will be completed at the end of the fiscal year. Any reduction of the sum will leave a number of mortars unprovided with carriages.

Carriages for mounting steel breech-loading seacoast cannon of 8, 10, and 12 inch caliber:

Amount submitted in the estimates	\$1,693,000
Amount allowed by House bill 9923	200,000
I recommend that there be appropriated the sum of	500,000

The sum thus far appropriated or authorized to be expended for carriages for seacoast guns of 8, 10, and 12 inch caliber have been applied on the manufacture of barbette or gun-lift carriages. By the beginning of the next fiscal year the Department will be in position to manufacture or contract for 8 and 10 inch disappearing carriages in quantity, and a considerable number of 8 and 10 inch guns will be ready for mounting by the end of the next fiscal year. The sum recommended is far from sufficient to provide carriages for all the guns that will be completed. It is simply a sufficient amount to enable the Department to commence their manufacture economically.

Very respectfully,

D. W. FLAGLER,
Brigadier-General, Chief of Ordnance.

THE SECRETARY OF WAR.

MR. GORMAN. Mr. President, I am not quite content that the broad statement made by the Senator from Connecticut [Mr. PLATT] shall go out to the country without a word from me.

I do not believe that the Senator is accurate in his figures or in his examination of this question; it is not true as a matter of fact that we have dealt with this Department for the last four or five years with parsimony. There has been \$11,000,000, and over, appropriated by Congress during that time for the great work of seacoast defense, the manufacture of guns, the procuring of sites, and all the paraphernalia necessary for use in war. Ten million dollars of that amount has been allotted to the Board of Ordnance and Fortifications for various works.

Mr. President, while the estimates of the Department have run up into millions and millions of dollars, the estimate of this year being over \$7,000,000, nobody in Congress or out of Congress has ever supposed that the Treasury was in a condition which would justify us in appropriating one-half the amount of the estimate for these various matters. We have, however, appropriated money enough to put all the great forges of the country at work in the manufacture of steel to make these great guns; great establishments have grown up and are now in a condition to make them, though not so rapidly as the appropriations and contracts provide that they should be made.

There is not at Bethlehem, or at any other place in the country, an establishment which has been able to deliver the forgings as fast as we have appropriated the money for them. It has not been possible up to the present time, and will not be until 1894, to have the machinery made to fairly equip a great factory for the assembling and completion of these guns and for erecting the rough forgings. Not a device has yet been made for mounting these guns which is satisfactory, though we have spent hundreds and hundreds of thousands of dollars. I say to the Senator from Connecticut that in my judgment Congress has been as liberal as it should have been in this experimental stage, and it is as liberal in the appropriation we are making to-day as the condition of the Treasury will warrant.

It is not true that we have not made some progress in the way of making large guns. There are under contract now to be delivered over one hundred and fifty 8, 10, and 12 inch guns for seacoast defense.

MR. HAWLEY. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Connecticut?

Mr. GORMAN. Certainly.

Mr. HAWLEY. It would be more satisfactory if the Senator would mention the fact that the delivery of these guns runs from seven to eight or nine years, I think.

Mr. GORMAN. Yes; I have stated that the condition of the gun factories of the country is such that they have not been able to deliver within the time specified in the contracts for forgings already contracted for. There are quite a number which are not to be delivered until 1896, as I remember.

Mr. HAWLEY. The Senator is correct as to that, without doubt, but I say that these great gun-making establishments would have been very willing to contract to deliver within five or six years the guns which they are allowed to take eight or nine years to deliver. I have heard them say that they could just as well have contracted to deliver in a shorter time, but as a matter of economy on the part of the Government they were allowed to take it at their leisure, and could deliver at such a price within eight or nine years.

Mr. GORMAN. That is true. The Senator from Connecticut is perfectly familiar with the matter. It is true that possibly we might at an increased cost have hurried up the deliveries to some extent; but the fact remains that the whole business of the construction of our fortifications is somewhat in the experimental stage. The point I make is that Congress has appropriated enough money up to this time, and, in my judgment, it does so by this bill, to go on with this great work as fast as it is possible to do, having reference to economy and the procurement of the best implements of war at this stage of their manufacture.

I am not quite content that the broad statement of the Senator from Connecticut who first addressed the Senate, that we are not preparing to meet any emergency which may arise, shall go out not only to the people of this country, but elsewhere, in view of the present condition of affairs.

Mr. HAWLEY. If the Senator understood me to say "not preparing," I will say that I have never said that, but we are not prepared for an emergency. We are not in a condition of defense.

Mr. GORMAN. I was referring to the Senator's colleague, not the Senator who is now addressing the Senate.

Mr. HIGGINS. If the Senator will yield to me for a question, I should like to ask him if he thinks under this bill we are making adequate preparation according to our necessities and our abilities to meet the great duty of arming our coasts?

Mr. GORMAN. I will answer the Senator from Delaware frankly. I think that we have made in this bill, as it is proposed to be amended by the recommendations of the Committee on Appropriations, proper provision for the defense of this country; that is to say, we have provided a sufficient amount of money to buy all the rough steel which can be utilized within the next two years and a half. We have provided a sufficient amount of money to complete the machinery for the great factory which assembles these guns. We have upon the statute book an appropriation of \$8,000,000, which does not appear in this appropriation bill, already provided for, authorizing the Department to contract with anybody in the United States for the steel and the completed guns; but in the provisions of this bill, in my judgment, as recommended by the Committee on Appropriations, we have given them all that they can utilize with economy until the year of 1894.

Mr. HIGGINS. I should like to ask the Senator a question right there.

Mr. GORMAN. I trust the Senator will permit me to answer his first question fully.

Mr. HIGGINS. Certainly.

Mr. GORMAN. What I have stated is true as to the condition of the work; but I believe that there is another fact that is true which will come upon the country, as I said from my place one year ago, with more force than the question of the contracts for guns. I mean to say, taking the balance of the appropriations which must be made to carry on the Government, the existing contracts and the obligations heretofore incurred, that it is utterly impossible for us to appropriate more money for this particular item without embarrassing the Treasury.

The Treasury is in such condition, Mr. President, that I believe increased revenue must be obtained to even meet the expenditures as far as we have gone. I am not prepared until that question shall be met and determined by this Congress, or another which is soon to follow, to pile up appropriations and incur additional obligations which we are in no condition to meet. I believe in keeping contracts; and hence when this bill came to us with a provision violating, as I thought, the obligations of a contract made by the last Congress for the payment of the material which is to be delivered, and only making appropriations for it for six months instead of twelve, I contended that that ought to

be met by the Senate, and notwithstanding the depleted condition of the Treasury the obligation should be met in full. I am unwilling, however, when I believe it is unnecessary in the interests of the country, to create greater obligations than we have here, when, in my opinion, they can not be met without increased taxation.

Mr. PLATT. Mr. President, the controversy of the Senator from Maryland [Mr. GORMAN] is with the Ordnance Department and not with me. I take what the Ordnance Department say. I have no other means of understanding this question. I am not on the Appropriations Committee. I have not been able to become informed as to the contracts and scarcely as to our facilities for manufacture, and I must take what the Ordnance Department say.

I said that the estimate for those matters for which we now appropriate \$500,000 during the next year was over \$3,000,000. I put it far too low. I find in the Book of Estimates that the estimates for the matters which are met by a beggarly \$500,000 appropriation were \$5,689,305. Then when the Department was told that they could not get any such money and that they must make the estimates just as low as they possibly could be made and get along, the Chief of Ordnance reduced them to the lowest possible figure to meet current expenses and issues to the service, and placed the amount at \$2,500,000. If there is any controversy about that it is not with me; it is with those officers to whom we have intrusted this matter and to whom we look for information.

The Chief of Ordnance says over and over again in his letter that his estimates, amounting to over \$5,000,000, were remade as low as it was believed would be consistent with the requirements of the public service. If he does not know, if he has misrepresented the necessities of the public service and its requirements, then there may be some objection made consistently to what I have said; but if he is right about that—and I believe he is—I repeat that this sum of \$500,000 is beggarly.

I sat here all last session and heard the talk about a bankrupt Treasury and an impoverished people. Mr. President, the Treasury has managed to meet all of its obligations and has money on hand, and will have money on hand at the close of this fiscal year. In my judgment, without any change in the system of taxation, it will have money sufficient to meet its obligations during the coming year, even if we should in some degree do what is right and just and proper and necessary in meeting the recommendations of the Ordnance Department. This country is not bankrupt, nor is the Treasury bankrupt. It is the richest country on the face of the globe; it is the country in best credit on the face of the globe; its financial affairs are in the best condition of any country on the face of the earth; and it is strong enough and rich enough, and its Treasury is in a condition where we may appropriate all sums reasonably required to carry on the great work which the people want carried on, of putting our coast in some kind of condition of defense.

Mr. PROCTOR. Mr. President, I do not propose to attack the report of the committee. I am charitable enough to believe that the committee recommended what they thought there might be some chance of getting, not what they believed we ought to appropriate for this purpose.

The Senator from Maryland [Mr. GORMAN] says correctly that \$10,000,000 has been used in the last five years for coast defenses. In the last Administration there was a board called the Endicott Board, of which the then Secretary of War was at the head, and on the Board were civilians and army and navy officers. They made a very careful examination of the question of coast and frontier defenses, and quoting from memory, I think their report was that \$126,000,000 was required to put the country in a fair state of defense.

Now, if we have used \$10,000,000 in the last five years, and if we go on at that rate, it will take us, I believe, about sixty-three years before we can put the country in a reasonable state of defense, before the city of New York and the city of Baltimore, which is in the Senator's State, will be in a reasonable state of defense, and fairly protected from an ordinary hostile fleet.

I have no objection, as I said, to the report of the Committee on Appropriations, but I wish to show what will be the result of a continuance of this parsimonious policy.

Mr. GORMAN. Mr. President, I should like to ask the Senator from Vermont [Mr. PROCTOR], who has had special facilities of information upon this question, whether he considers the statement he has just made a perfectly fair one to go to the country? He and I have the same interests; we do not want to create any alarm; we do not want to do injustice.

We began this work—and I am glad to say the Senator from Vermont has contributed very largely to its success—a few years ago as an experiment. There was not an officer of the Government who knew precisely what he wanted to do; there were but few skilled men in the country who could manufacture good guns;

there was not a factory which was prepared to produce the raw material.

These establishments have all been created within the last eight years. There was not an officer or a citizen, so far as I know, who had furnished a design for a carriage upon which guns of 6 and 8 inches could be mounted. I do not know that there is to-day a single device by which we can properly mount a 12-inch gun. There was not, eight years ago, a single lathe or piece of machinery which was capable of being used to forge one of those guns. They all had to be devised and then manufactured. There was not a factory building in which you could utilize the machines if you had them, and they are not yet completed.

I submit to the Senator from Vermont, as a man of business affairs, whether we have not gone on in the line of experimenting and determining upon the class of raw material which is necessary as fast as economy and good government requires it to be done?

That has been my view of it; it is my view of it to-day. Having, however, reached the stage where we have the machines and the foundries to turn out the raw material and the mechanics to fashion it, I say to the Senator that we are in an infinitely better position for the speedy manufacture of guns hereafter. But it is not fair to divide the whole appropriation of \$126,000,000 which the Endicott board reported as required for coast defenses by two million and say it will require sixty-three years to complete the work.

That is not a fair calculation. By appropriations already made the matter has been placed in a condition where we may hereafter advantageously double and treble the amount appropriated. I say that in my judgment—and I submit to the Senator from Vermont whether that is not his judgment—it would have been great extravagance to have gone beyond what we have done in the past.

Mr. PROCTOR. The Senator has stated correctly the situation and the history of what has been done; but plainly the logic of his statement is that appropriations now should be more liberal than heretofore. We were, to be sure, five years ago in the experimental stage; but he himself concedes that we now have the arsenals and the equipments for going on and completing this great work.

Mr. GORMAN. They are not yet completed.

Mr. PROCTOR. That policy has been ably advocated by prominent leaders of his own party, a policy in reference to which I believe the Senator is far in advance of the general sentiment of his party. I believe he has been more liberal than the majority of his party; but in our present situation our appropriations, in my view, ought to be increasing year by year, because we have the opportunity, as the Senator has stated, to use them now to advantage.

We have the arsenals, our type of guns is fixed upon, the carriage for all classes of guns is practically so, and we are now in the condition where our expenditures and appropriations ought to increase year by year instead of being cut down just when we are ready to use them to advantage.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "armament of fortifications," on page 5, line 4, after the word "than," to strike out "four" and insert "five;" and in line 7, after the words "sum of," to strike out "four" and insert "five;" so as to make the clause read:

Provided, That not more than \$500,000 of this amount shall be expended in the fiscal year ending June 30, 1894; which sum of \$500,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, on page 6, line 15, after the caption "Board of Ordnance and Fortification," to strike out:

For the investigation and test of smokeless powders with a view to determine the best type for adoption for service in seacoast, siege, field, rapid-fire, and machine-guns; for platforms, emplacements, etc., for 12-inch minimum port carriage, and expenses incidental to the test, and for the test of the 10-inch barbette carriage; for testing seacoast guns, including 100 rounds from a 40 caliber 12-inch rifle, and the Lyman Haskell 8-inch multicharge gun; for test of field, siege, and rapid-fire guns, including additional tests of the Brown segmental wire 5-inch gun; for improving facilities of the Sandy Hook proving ground with a view to expediting the experimental work; for the purchase, development, and test of experimental torpedoes; for the procuring of 8-inch and 10-inch experimental disappearing gun carriages; for procuring and experimenting with sights, range-finders, and position finders; for the test of fuses; for experimenting in direction of developing armor for coast defenses, and purchase of same for test; for the manufacture and test of experimental breech mechanisms for field, siege, rapid-fire and seacoast guns; for the necessary expenses of the Board, including salary of civilian member, \$125,000.

And to insert:

To enable the Board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Gov-

ernment, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war materials and articles as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1888; to pay the salaries of the civilian members of the Board of Ordnance and Fortification, and for the necessary traveling expenses of said members when traveling on duty; for payment of the necessary expenses of the Board, including a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of \$2.50 a day; and for the test of experimental guns and carriages procured in accordance with the recommendations of the Board of Ordnance and Fortification, \$125,000; and one additional member shall be added to said Board of Ordnance and Fortification, who shall be a civilian, and either a civil or a mechanical engineer eminent in his profession and well acquainted with the general properties of steel and in the construction and use of machines; and he shall be appointed by the President, by and with the advice and consent of the Senate, and shall be paid a salary of \$5,000 per annum and actual traveling expenses when traveling on duty: *Provided*, That hereafter no person shall be a member of or serve on said Board who has been or is in any manner interested in any invention device, or patent which, or anything similar to which, may be considered by or come before said Board for test or adoption.

Mr. COCKRELL. I wish to amend the amendment just a little at the end. In the beginning of line 20, page 8, before the word "may," I move to insert, "has been considered, or;" so as to make the proviso read:

Provided, That hereafter no person shall be a member of or serve on said Board who has been or is in any manner interested in any invention, device, or patent which, or anything similar to which, has been considered or may be considered by or come before said board for test or adoption.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. HAWLEY. I perceive perhaps a new feature in the Board of Ordnance and Fortifications; that is, another civilian member. I should like to hear, as Blackstone suggests, in the consideration of a new bill, "The old law and the mischief and the remedy." I should like to know what is the matter with the Board as it is now constituted, and why it is necessary to add a civilian?

Mr. DAWES. The Senator will call to mind that an effort has been made from time to time to introduce the feature of civilian members into the Board, and that it has only succeeded to the extent of one. It is the opinion of the committee that that one civilian member is very lonely. While I will not say that he finds himself so, the service finds that with one member on the Board, and he is a professional engineer, a gentleman of ability and integrity and possessing every other requirement except perhaps those that would be specially called into service in the Board, has been situated there in such a way that it is impossible to utilize him to any controlling extent in the management of its affairs. That is to say, that the best possible man situated like him, it was the opinion of the committee, could not impress himself upon any of the work of the Board.

There was an amendment introduced in the Senate authorizing not only four civilians upon the Board, but four having attainments which would naturally be expected to fit them for the work. The committee thought that the introduction of one more civilian, and that a member making this work a specialty, would contribute to enable the Board to avail themselves more than heretofore of all the outside effort, all the outside work, all the outside genius which it is so desirable to marshal into the service of the United States in the production of the machinery and the various matters which come before the Board, being confined, as they have been, to their own experience and their own knowledge.

It was done without the slightest intention of reflecting upon the Board as now constituted, but with the desire to meet what the committee have no doubt the Board themselves desire just as much as they desire an opportunity to seize upon all that promises improvement and all that is new pertaining to this work so that none of it may escape. The committee thought this provision would contribute to some extent to that end.

Mr. STEWART. Mr. President, the necessity and importance of enlisting the genius of the country in devising methods of defense, such as the construction of guns, gun carriages, etc., must be apparent to everyone. Our inventors in regard to matters pertaining to armament and defense have not had the same opportunity to make progress that they had in civil life, because the country has not been engaged in this business for a good many years. Foreign countries have made the advances and we are to a great extent copying from them.

The inventors have not the means of ascertaining the exact progress already made, and consequently they can not contribute what they otherwise would to the construction of engines and devices of war. In civil life the inventors of this country are in advance of those of any other country. In almost every branch of invention they take the lead. We have in the United States a vast amount of genius. If we could have that genius applied to the condition of the present inventions in warlike implements

we should undoubtedly make vast and rapid improvement. We are about to spend a great many millions in coast defenses and on our Navy as preparation for war. If we can in extending that service devise better methods, better machinery than other nations have, we shall spend less money and be in a better position for defense than other nations.

In private life, when there is a new and important machine to be invented or an important construction to be made that is new, it is the practice to call in consulting engineers to examine the various plans and arrive as near as possible at the best method to utilize, so to speak, the best genius in the country. There is a feeling on the outside, perhaps unjust to a great extent, that neither in the Army nor Navy is there that opportunity afforded to inventors, to mechanics, to improve upon present methods that there ought to be.

The increase of the Board by one I understand was made with a view to utilize the genius of the country. The one there is rather lonely, as the Senator from Massachusetts suggests. In this amendment we have done more than the mere substituting of another civilian. We have required that he shall be a skilled engineer from civil life. Such an engineer would probably have such connections with the engineers of the country that he would be of great service to the Board in showing them how they could utilize the genius of the country. If we have to spend from fifty to one hundred million dollars in the next fifteen or twenty years in warlike preparation and upon warlike devices we ought to expend the money economically.

I believe with the genius of the country utilized we can do more with the same amount of money than any other country in the world. Without so utilizing it we shall follow right along in the same rut with other countries. Other countries have made great advances in all warlike devices, but there is no doubt with the present mechanical skill in this country we can add much to what they have done, and it is all important, it seems to me, that we shall bring the mechanics of the country in connection with these improvements. They should have some means of ascertaining what has been done, and their attention should be called to what is necessary to be done and what is desired to be accomplished.

A first-class engineer put upon this Board would have advantages in an acquaintance with the country and with other mechanics and inventors that the regular officers can not have. I think it will do some good. At all events it is an experiment worth trying, the object being to bring the highest and best skill in the country to bear upon the devices that are necessary for coast defenses and for armament generally. It is a most important object. If we do not get the best we shall have to throw them away and waste a vast amount of money.

The plans and devices, according to the general plan suggested for defending our coast and for arming this country, are on a very large scale. The port and coast defenses that existed twenty years ago are entirely useless, and if we do not keep in advance of the times what we now construct will be useless. But it is believed that the genius of the country can keep us in advance of the time if we can utilize it. The object is to make an effort to utilize it.

Mr. SQUIRE. Mr. President, it is too late in the day to say much by way of criticism of the meager appropriations that are expected to be provided for in the bill, but as a member of the Committee on Coast Defenses I feel that I ought not to let the occasion pass without entering my protest against the very small amount of money proposed to be appropriated in the bill for the purpose of coast defenses.

I do not propose to make a lengthy speech on this occasion, but simply to endeavor to emphasize the position that has been taken by the Senator from Connecticut [Mr. HAWLEY] and to corroborate the statement he has made. It became my duty to look into this subject to some extent as chairman of the Committee on Coast Defenses; and the more I studied the subject the more I became impressed, not only with the necessity of a much greater and more systematic and more prompt outlay by the Government, particularly in the matter of modern guns for coast defense, but with the great and lamentable lack of public interest on the subject throughout the country, particularly in the interior States of the Union.

Of course the States situated on both the Atlantic coast and the Pacific coast at times become very much interested in the subject, particularly when there is any likelihood of hostilities from abroad, as was the case when the Chilean question was before the country. At that time I received many dispatches and letters from the Pacific coast urging that measures be taken to erect fortifications and to provide guns. And I found upon investigation that the War Department was only able at that time, after some considerable delay, to send seven pieces of modern ordnance to the Pacific coast, of which only three were rifled "built-up" guns, and none of those exceeded 8 inches in caliber.

There are no fortifications whatever for the emplacement of

the modern high-power heavy guns either on the Atlantic coast or the Pacific coast except the one fortification recently constructed at Sandy Hook, below the city of New York, which I have examined within the past few months. At that time only one 12-inch gun was mounted there and it was expected that the other gun would be completed within a few months. This structure, the entire emplacement, the two guns and all, was to cost the immense sum of \$600,000 for simply placing two guns in position.

I mention this as a practical fact existing to-day, that we have no modern fortifications. We have no modern guns in place except that one gun and perhaps its companion gun that may be placed there by this time. Modern fortifications and modern guns are counterparts to each other. Each is necessary as the complement to the other. It seems to me that the people of this nation ought to wake up to the fact that the Congress of the United States has been conducting its business as if it were in a lethargy on that subject. It is not fair nor right to the people on the coast, in the great and growing cities that are defenseless, to neglect longer the important appropriations that should be made.

The testimony was given before the Committee on Coast Defenses by the Chief of Ordnance that it would take until the year 1905 to complete the cannon alone to provide for the defense of twenty-seven of the principal towns and cities of the United States on the seaboard. This did not include the two hundred additional guns and mortars admittedly needed for Puget Sound. It would require the construction of between fourteen hundred and fifteen hundred cannon in all, of which perhaps one-half would be steel-rifled mortars and the balance 8, 10, 12, and 16 inch rifled guns, "built-up" guns, as they are technically termed.

As I remarked before, these facts ought to be brought out more distinctly and prominently to attract the attention of the country. The people of the United States ought to be made aware of their defenseless condition. They ought to stir up Congress to greater efforts.

I feel it to be my duty right here and now to reiterate in this manner briefly some of the points that I mentioned in my remarks when I advocated the establishment of a cannon factory on the Pacific coast during the last session; first, on account of the necessity that exists for guns on that coast, which can not be supplied by existing factories without waiting for many years, during which we may pass through many critical emergencies; secondly, we ought to have a cannon factory there on account of the expense and the difficulty—I might say the impracticability—of transporting heavy cannon from this side. Again, we ought to have it there for "military reasons," such as were adduced in the testimony of the Chief of Ordnance. The factory at Watervliet ought to be enlarged; and the money ought to be appropriated as fast as it can be used advantageously under the direction of the Secretary of War.

Mr. President, in regard to the paragraph we have been discussing concerning the advisability of the appointment of another civilian as a member of the Board of Ordnance, I wish to say that I heartily indorse the amendment of the committee. It so happened that for many years I was interested in the construction of small arms. I know something of what it is to deal with the officers of ordnance, not only of our own country, but of the great foreign countries, France, England, Germany, Austria, Italy, and other countries of the world. The Spanish and Russian Governments particularly each have an efficient corps of ordnance officers. All those Governments educate their officers very conservatively. Officers thus educated are slow to take up new ideas. Our own Government has suffered greatly by delays in adopting valuable improvements in ordnance. We now look back and say "what folly!"

If we would take a foremost place as a nation in the improvements of our ordnance and of all that relates to national defense we ought to be able to call in civilian ability, men who have experience in that line of thought, practical men, men who are not merely theorists, men who have had experience in the treatment of steel, men who have had experience in mechanisms of various kinds.

Therefore I earnestly advocate this amendment. I believe it would be still better if the civilian membership of the Board were increased. I do not wish to reflect in the least degree upon the officers of the United States Army. I have the greatest respect for them. I know many of the officers of ordnance. I know they are men of great ability. I have especial confidence in the present Chief of Ordnance of the Army; but I believe that there ought to be some plan of progression insisted upon. Whereas it may do very well to add simply one civilian member at the present time, I believe that ultimately the number of civilians on the Board ought to be increased. Competent civilians ought to constitute very nearly half of the Board for this purpose.

Mr. President, I am in favor of increasing the American Navy;

but no matter how largely it may be increased, I must insist that a navy can never entirely take the place of land defenses. Ships are but frail fortifications as compared with properly constructed land works. Such for example at that at Sandy Hook, where the guns are mounted on hydraulic elevators, which in the brief period of 21 seconds after firing carry the gun down behind a complete protection of 60 feet of solid cement.

Mr. PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. TELLER. Some days ago I gave notice of an amendment which I would offer to the pending bill. The amendment has been somewhat changed. On page 2, line 24, after the word "dollars," I move to insert what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 24, after the word "dollars," insert:

To enable the Board of Ordnance and Fortification to procure and test one 12-inch elevating carriage of A. H. Emery's design, \$130,000, or so much thereof as may be necessary; and the Secretary of War is hereby authorized and directed to contract, without advertising, with A. H. Emery for this carriage and test it, the same to be built, erected, and tested for a sum not exceeding \$130,000, which price shall cover the cost of the carriage erected, and including all the powder and projectiles necessary for its preliminary test by the contractor and the fifty additional rounds for proof, to be fired under the direction of said Board of Ordnance and Fortification, and in the presence of the said Board and the inventor or his authorized agent, due regard being paid to suggestions offered by him with regard to the making of such test; said price also to cover all such repairs, if any, as may become necessary to have the whole carriage in good working order after the test of fifty rounds for proof. It shall be constructed on the general plans put before the Board by A. H. Emery, and described by him in his letters to the Board under dates of November 16 and December 24, 1892, and January 21, 1893.

For the purpose of facilitating the more ready, satisfactory, and quick construction of this carriage and its foundations, the inventor is at liberty to make any and all changes in the designs and specifications for and the construction of this carriage at any time on or before the completion of the test, which he thinks are desirable for the utility and use of this carriage or repetitions thereof, or which will facilitate the early completion and successful test of this carriage, which changes or alterations shall all be made at his expense; but no such changes shall be made which will render the carriage unable to fulfill all the requirements set forth by the Board as necessary to be observed and maintained for the construction and use of this carriage and its foundations in their letters to the inventor of dates August 17 and November 17, 1892, fixing the engineering conditions, which must be fulfilled and observed in constructing the carriage and its foundations, unless such changes are sanctioned by the Board. Of the price of this contract, \$110,000 shall be for the carriage and foundations erected, including all changes and repairs, and \$20,000 shall be paid the contractor for the preliminary testing of the carriage and the powder and the projectiles to be furnished by him for the fifty rounds of proof tests.

Of this \$110,000 to be paid for the carriage and its foundations, 85 per cent shall be paid in partial payments as the work progresses in accordance with the proposals submitted by A. H. Emery to the Board in his letter of January 21, 1893. Before advancing any part of this 85 per cent the contractor shall furnish bonds satisfactory to the Secretary of War for the return of this money if the carriage is not accepted. The balance of the \$110,000 shall be paid as soon as the test is completed and the work found to be done according to contract. Of the \$20,000 to be paid for the testing of the carriage, three-eighths shall be paid the contractor when the preliminary tests are completed, and the other five-eighths shall be paid to him proportionally as the fifty rounds for proof are fired.

Should any damage be done to the carriage during these tests by the bursting or overloading of the gun which is being fired thereon, or by other guns or projectiles being tested, such damage shall be made good to the contractor by the Government.

This carriage shall raise the gun from loading to firing position 14 feet, and shall be able to train the gun for firing at all angles of elevation from minus 5 degrees elevation to 20 degrees elevation, and to have an all-round fire of 360 degrees.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Colorado [Mr. TELLER].

Mr. TELLER. It will be observed that there is no liability on the part of the Government and no obligation assumed unless the Government accepts the carriage. I understand the committee do not object to the insertion of the amendment in the bill. I do not care to take the time of the Senate to discuss it.

The amendment was agreed to.

Mr. HUNTON. I move an amendment to come in on page 2, after line 21. I move to insert:

For two pneumatic disappearing gun carriages, \$100,000, or so much thereof as may be necessary.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. DAWES. I inquire of the Senator from Virginia if the

amendment has been submitted to any committee and recommended by it?

Mr. HUNTON. I think not, Mr. President; but in the line of introducing into the Army and for the coast defenses the best gun carriages, we desire to have the inventors of the country bring forward and have tested by the Government all the carriages that may be invented by the genius of our citizens. I am informed that one of these disappearing carriages has been built for the Government. I understand it has been tested with the most satisfactory results. The object of the amendment is to carry on the work thus begun. It is asserted by those who control the carriage that it is the best disappearing carriage on either side of the water.

If that be true, in the line of defending our coast this gun carriage ought to be manufactured and adopted by the Ordnance Board and its merits fully tested, and if it be the carriage it is claimed it ought to be the disappearing carriage of our coast defenses.

Mr. DAWES. If the proposition has so much merit in it as suggested by the Senator, and I do not doubt it has, I regret very much that he has brought it to the attention of the Senate at so late a period. I am obliged to raise the point of order on the amendment.

Mr. SQUIRE. Mr. President—

The PRESIDING OFFICER. The question of order is not debatable.

Mr. GORMAN. The Senator from Massachusetts, I am sure, will waive the point of order for the present if the Senator from Washington desires to be heard.

Mr. DAWES. Certainly.

The PRESIDING OFFICER. The Chair sustains the question of order raised by the Senator from Massachusetts. The amendment is not in order.

Mr. GORMAN. I understand the Senator from Massachusetts withdraws the point of order for the present.

Mr. DAWES. I withdraw the point of order until the Senator from Washington can be heard.

The PRESIDING OFFICER. The Senator from Washington will then proceed.

Mr. SQUIRE. I desire to say, in support of what has been said by the Senator from Virginia, that I am very desirous our Government should take early action in reference to the perfection and adoption of a suitable disappearing gun carriage. I deem it highly necessary for our coast defenses that we should have such disappearing gun carriages in place at an early day. It has been my privilege to witness the experiments made at Sandy Hook with a disappearing gun carriage. I doubt not that the records of the Board will show what has been done. If I am correctly informed, the gun carriage in question, which has been referred to by the Senator from Virginia, has been fired from nearly one hundred times successfully. I saw it fired from myself repeatedly.

I want to state briefly that it seems to me our Government, having made the experiments which have already been made, should be prepared to go on and complete the work and adopt some disappearing gun carriage. Therefore I am in favor of an appropriation for that purpose, and as this seems to be the nature of the amendment offered by the Senator from Virginia I shall most earnestly support it.

Mr. DAWES. This matter is new to the committee. They have not examined it. They have not had the benefit of the opinion of any expert in reference to it. It seems to me that it is quite late in the day. It may have all the merit that the Senators have suggested. The amendment offered by the Senator from Colorado was of quite a different nature. That had been before the Ordnance Board, and it had been before the committee. The committee had examined that matter and had had the benefit of all the experience of the Board and the War Department, as well as the opinion of some experts outside, and they are greatly impressed with the idea contained in that disappearing gun carriage.

They were not brought, however, quite up to the point of themselves recommending it, although in the form in which the amendment came before the Senate this morning there is no liability upon the part of the Government unless the carriage meets the expectations of the Board of Ordnance. The committee thought they could not afford to resist such a proposition as that of an engineer who proposes according to an invention of his own to furnish the machinery, the plant for the production of a disappearing gun carriage at his own expense and at his own risk, and if it does not meet with the requirements of a disappearing gun carriage for the 12-inch gun he asks nothing at the hands of the Government.

A disappearing gun carriage for a 12-inch gun does not exist. Outside of these propositions there is no device that I know of which the department thinks promises success for a disappear-

ing gun carriage. A disappearing gun carriage is of all carriages the most difficult to complete to the satisfaction of the Government. Here is one that, as I have said, the committee have sat silent and let the Senate adopt because they could not afford to say to the country, when a man is willing to take all this risk at his own expense, we should refuse to consider it. But the amendment offered by the Senator from Virginia is new to the committee. It is new to the Senate. I do not know what the merit of it is. It comes in at the last end of the consideration of the bill. Therefore I do not feel at liberty, representing the committee, to abandon the point of order. I will withdraw it, however, until Senators have had an opportunity to express themselves.

Mr. HUNTON. I am a little surprised, sir, at the statement of the Senator from Massachusetts that a disappearing gun carriage is new to the Board of Ordnance and Fortifications. If the report of the Board of which Gen. Schofield is the head had been examined by the distinguished Senator he would have found that a pneumatic disappearing gun had been made for the Ordnance Department of the Government and had been tested by firing more than seventy rounds. I believe I am correct in the statement.

Mr. DAWES. The Senator did not get my point. There is a rule of the Senate the purpose of which is to have the independent examination of any amendment to an appropriation bill by a committee. The Senator assumes too much if he assumes that I know anything or that the committee know anything about what does not appear in the amendment; and the amendment did not appear to us.

Mr. HUNTON. I do not think I assume very much when I assume that the Senator from Massachusetts is very well up on any question with which he attempts to deal. I was about to say that a pneumatic gun carriage had been built for the Government of the United States at a cost, I believe, of about \$48,000, and had been fired from seventy times. I believe I am right as to the number of times it has been fired from. That carriage, after a test of seventy rounds, was received by the Government and paid for, and it is now at Sandy Hook ready to be fired from seventy times seventy times if the Government chooses to test it to that extent.

I beg leave to say in regard to this pneumatic gun carriage that as I understand it it is a marvelous machine. It is located below the ground, I believe about 8 feet. It may be sighted below the ground by a system of double mirrors, and then by its machinery it is elevated to the parapet, fired, and disappears by its pneumatic power before a shot from the enemy's vessel could reach the gun if it was fired the moment it appeared above the parapet.

It is a well-established fact that disappearing gun carriages are the want of our seacoast defenses. They must be had, and I think I hazard nothing when I say that up to this time the pneumatic disappearing gun carriage is by all odds the best that has been produced.

In regard to the cost of this carriage, there is nothing that competes with it as to cheapness. The only thing that is put in competition with it up to this time is what is called the Abbott lift, which is being erected at Sandy Hook, and which the distinguished Senator from Washington [Mr. SQUIRE] has seen. I believe the cost of the Abbott lift is several hundred thousand dollars, and, in my opinion and in the opinion of many experts whom I have heard discuss the question, when it is constructed it is not at all comparable to the pneumatic disappearing gun carriage. I say, therefore, in the interest of economy and in the interest of a proper coast defense, it is proper that the Government should continue the manufacture of these disappearing gun carriages.

Mr. President, there is a feeling abroad growing day by day that the inventive genius of this country is suppressed by the fact that our Government either takes its cue from abroad or confines itself to inventions made by army officers. That is the reason why I favored the amendment of the committee proposing to put another civilian member upon the Board, so that the civilian members might take the Ordnance Board (and I have no aspersions to cast upon it at all) out of the rut in which it has been running for so many years. The pneumatic gun carriage is an American invention. It is the only one that has been tested by the Government and paid for by the Government. Notwithstanding it has not been examined by the committee, on the testimony of experts it does seem to me that it is the duty of the committee to accept the amendment and let the manufacture of the carriages go on.

The PRESIDING OFFICER. The Chair sustains the point of order raised by the Senator from Massachusetts. If there be no further amendments as in Committee on the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. HUNTON. I have another amendment to offer.

The PRESIDING OFFICER. The Senator can offer his amendment in the Senate instead of in Committee of the Whole. Is his amendment an amendment to one made as in Committee of the Whole or to the text of the bill?

Mr. HUNTON. It is an amendment to the text of the bill, sir.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendments made as in Committee of the Whole?

The amendments were concurred in.

The PRESIDING OFFICER. The bill is in the Senate and open to amendment.

Mr. HUNTON. I offer an amendment to come in after line 17, on page 2. I move to insert as a new paragraph the following:

That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of War to contract with R. J. Gatling for one 10-inch and one 12-inch rifled high-power steel gun, built under the designs and patents of said R. J. Gatling; and said guns, when completed, shall be tested in competition with two steel guns of similar caliber made under the supervision of the Ordnance Bureau of the Army, and shall be fired until one or the other of said guns shall be disabled. The tests shall be in the presence of Dr. Gatling, or his agent, and the results of such tests shall be reported to Congress. The ammunition used shall be paid for by the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

Mr. DAWES. I will state the difference between the parliamentary position of this amendment and the one the Senator previously offered. The pending amendment has been before the committee, having been submitted some time since, and the committee have spent a good deal of time in its examination and in the examination of experts in reference to it. It made a very deep impression upon the committee as having great value. If it be possible to accomplish what is proposed in the amendment it will be a great advance in the construction of steel guns. A solid cast-steel gun has not been a success to this moment. Two of them at great expense have been made and blown to pieces, and the idea of success in that line has been almost abandoned by the Board growing out of what they thought difficulties in the process of casting which were unsurmountable.

Here comes Dr. Gatling, whose name is imperishably connected with a great invention in this line, with a method of casting hitherto untried, altogether new, very simple in its explanation, which promises to overcome the difficulties which have hitherto been supposed to be insurmountable. If he succeeds it will be such a success as will supersede, it seemed to the committee, all the expensive assembling of steel guns built up by different parties, and do away with a great consumption of time as well as of money.

Now the method of producing steel guns and the production of cast-iron guns is to be abandoned. The method of producing steel guns is to make them in rough parts at one place and to finish them up and assemble them at the gun factory. This method is expensive and consumes a great deal of time and money; and when they are done they are not equal to the solid cast-steel gun that shall overcome the difficulties which rendered the other guns useless.

This is the promise of Dr. Gatling. There has been no expert before the committee who was willing to do either of two things, condemn it or take the responsibility of recommending it. The committee were in just that position. The committee have instructed me to permit this amendment to come before the Senate and let the Senate judge for themselves. The committee, I am instructed to say, felt as if here was an idea worth utilizing, and they went so far in their conclusions as to say even if it failed there would be one thing accomplished, it would settle the idea that we must turn our attention more exclusively to the assembling of guns than to attempt to make a solid gun. If we succeed the assembling of guns will pass away.

Mr. DOLPH. I raise the point of order on the amendment.

The PRESIDING OFFICER. The Senator from Oregon will state the question of order.

Mr. DOLPH. I do not know exactly how to understand the remarks of the Senator from Massachusetts, but I raise the point of order that the amendment is not in order.

Mr. TELLER. I wish to ask the Senator from Massachusetts a question. If the point of order is made on the amendment I do not want to delay the Senate.

Mr. DOLPH. I withdraw the point of order that the Senator from Colorado may put his question.

Mr. TELLER. I wish to inquire whether the proposition of Dr. Gatling is to use the common method of making steel or whether he claims to have some new invention?

Mr. DAWES. If I fully understand it, and I do not know but I am rash in saying that I understand much about it, but from what I understand, it is altogether in new methods of casting so

as to do away with what has been supposed to be impossible, the presence of gas in the casting and in the cooling, and the cooling of the steel in different parts in different degrees, that has been the difficulty which renders it brittle in one place and otherwise in another. Here is a process which, if it fulfills what is promised, cools all parts alike. That is the idea, if I understand it. I do not know that I do.

Mr. TELLER. I believe the impression has gone abroad very generally that a cast-steel gun can not be made that will be satisfactory; at least I think the trials that have been made have not been satisfactory; but I do not think it follows that because the guns which have been made with the ordinary method of making steel are failures there may not be, by the inventive genius of our people, some method of making steel devised that will avoid the difficulties that have been mentioned and have existed in all the experiments that have been made.

I believe that it is the duty of the General Government to be liberal with men who come before Congress with enterprises of this character. Of course, a great many devices will be presented that we can not afford to accept. Dr. Gatling comes here as the inventor of a gun of great merit, and, while I never heard of his steel gun before and know nothing about the method he proposes, I am satisfied he has in his mind some purpose which is not that of an ordinary individual who has given no attention to the subject.

Mr. DAWES. No charlatan.

Mr. TELLER. He is no charlatan, as the Senator suggests, but a man of scientific attainments and of some experience and observation in these matters. It seems to me that it would be very wise for the Government, not only with reference to steel guns, but in making steel for other purposes, to experiment and ascertain if there can be a steel manufactured that will not be subject to the objections which have been made to the steel heretofore produced. Nobody else can do it. Nobody else will do it, especially as applied to guns, because the only market there is in the world for guns is the governmental market. I believe it would be wise for the Government to make the experiment at least on one gun, if not on two.

Mr. STEWART. I should like to make an inquiry. This amendment, I understand, practically, the committee agreed to bring before the Senate; to report it, in other words, without recommendation, leaving it to the Senate to dispose of it. I should like to inquire if it would be subject to a point of order when thus reported from the committee.

The PRESIDING OFFICER. The Chair desires to ask the Senator from Virginia if this amendment is reported by any standing or select committee of the Senate?

Mr. HUNTON. No, sir.

Mr. STEWART. It is reported by the Committee on Appropriations.

The PRESIDING OFFICER. The Chair desires the exact state of the fact. It has not been reported by any standing or select committee of the Senate and referred to the Committee on Appropriations?

Mr. HUNTON. No, sir.

Mr. DAWES. I will state the exact fact. The amendment was introduced by the Senator from Virginia and referred to the Committee on Appropriations for their consideration, and they have reported it back without any recommendation.

Mr. FRYE. Then it is before the Senate.

Mr. DAWES. It is before the Senate.

Mr. DOLPH. The point of order is good, then. There is no recommendation by the committee.

The PRESIDING OFFICER. In that state of fact the Chair would be bound to hold—

Mr. HUNTON. If the Chair believes that the amendment is not exactly in order, I understand it would be in order for me to request that the question of order be submitted to the Senate; and with a view of giving some additional information on the subject of this Gatling gun I ask permission to have read a statement made by Dr. Gatling himself.

Mr. DOLPH. That is not in order while the point of order is under consideration.

The PRESIDING OFFICER. The Chair understood the Senator from Oregon to withdraw his point of order for purposes of debate. Does the Senator from Oregon now renew it, or is it withdrawn?

Mr. DOLPH. I withdrew it only to allow the Senator from Colorado to put a question to the Senator from Massachusetts. I did not intend to withdraw it for debate generally. I renew my point of order.

The PRESIDING OFFICER. The point of order being renewed, it is not debatable, and the reading of the paper referred to by the Senator from Virginia is in the nature of debate.

Mr. HUNTON. I ask the Senator from Oregon to withdraw the point of order for a few moments.

Mr. DOLPH. The paper can be printed in the RECORD.

Mr. HUNTON. I ask the Senator to withdraw the point of order temporarily and let the paper be read.

Mr. DOLPH. Very well; let the paper be read. I withdraw the point of order temporarily.

The PRESIDING OFFICER. The Senator from Oregon withdraws his point of order.

Mr. CALL. I ask the Senator from Virginia to allow me to make a statement.

Mr. HUNTON. Certainly.

Mr. CALL. As a member of the Committee on Appropriations my recollection is very distinct that that committee reported this amendment to the Senate, and it therefore, it seems to me, comes within the rule. It was reported by order of the Committee on Appropriations to the Senate for its consideration.

The PRESIDING OFFICER. The Chair will state to the Senator from Florida that when a committee reports an amendment it incorporates it in its bill. This amendment the committee has not incorporated in the bill.

Mr. DOLPH. It must report it with a recommendation, too, to be a report.

The PRESIDING OFFICER. The paper sent to the desk by the Senator from Virginia will be read, if that is his object in sending it up.

Mr. HUNTON. Yes, sir; let it be read.

The Secretary read as follows:

LAW OFFICE OF C. E. CREECY, NO. 38 CORCORAN BUILDING,
Washington, D. C., January 31, 1893.

Hon. HENRY L. DAWES, U. S. S.

Chairman of the Subcommittee in charge of the

Fortifications Appropriations Act.

DEAR SIR: Referring to the amendment now under consideration by your committee, offered by Senator HUNTON, appropriating \$100,000 for the purchase of one 10-inch and one 12-inch cast-steel gun, to be built under the direction and under the patents of the inventor, Dr. R. J. Gatling, I respectfully call your attention to the fact that Dr. Gatling is unable to furnish the funds out of his own pocket to build these experimental guns, and in consequence of that financial disability he now seeks the aid of Congress to enable him to demonstrate by actual test that these guns will not only possess greater endurance and greater efficiency in every way than the built-up steel guns now being manufactured by foreign governments, as well as our own, but that he will be enabled to save the Government millions of dollars by the manufacture of his guns, besides giving the Government the other advantages hereinbefore stated, and, better than all, giving them a gun of American invention, which can be made in one-half the time the present guns can be built. This appeal of Dr. Gatling to your committee is made for three reasons:

First. It is the policy of Congress to encourage American inventors.

Second. It is in the interest of greater efficiency, greater endurance, greater economy, and of American invention.

Third. Similar appropriations have been made by Congress heretofore, when Congress has been satisfied of the character of the inventor and of sufficient merit in the invention to warrant the appropriation.

The name and fame of Dr. Gatling are sufficient to warrant the expenditure of this reasonable amount of money to test the invention which he has presented. It is natural that those persons, whether in the Ordnance Bureau of the Army or in private manufactories, who have given so much time and spent so much money in imitating the foreign built-up guns should be opposed to any appropriation which might lead to a change in their established methods of gun construction, which, as a matter of fact, are simply imitations of foreign inventions.

But it would seem to be the duty of Congress, whenever such a distinguished American inventor as Dr. Gatling, whose fame has extended over the world, presents a scheme involving such a comparatively small amount of money to encourage him, and for that reason it is respectfully submitted that Senator HUNTON's amendment should be incorporated in the bill and be made a law. We have been informed that one of the members of the Board on Fortifications and Ordnance has pointed to section 6, paragraph 2, of the act approved September 22, 1888, and particularly that part which says, "Whenever any party shall present for test a completed single-charge breech-loading steel gun of 10 or 12 inches caliber," and so on, and stated that it covered the application of Dr. Gatling.

The committee will see at a glance that this section has no relevancy whatever to the application of Dr. Gatling. That section was passed, as your committee will remember, to encourage wealthy men to establish manufactories for the building up of steel guns for use in the Army. It substantially says to capitalists, if you will take the drawings, weights, descriptions, character of material, and all the ideas of the Ordnance Bureau, and put them into a built-up steel gun, and then subject them to tests to be prescribed by the Ordnance Bureau, which naturally would be run to the extreme limit of severity, and pay for the ammunition required for the tests, as well as the expenses of material, labor, etc., and if those guns stood the tests and received the approbation of the Ordnance Bureau, then a further contract might be made with the manufacturer. The whole intent, spirit, and letter of this section was to encourage the building up of a manufactory in the United States to build steel guns wholly designed and wholly worked out by the Ordnance Bureau.

Your committee will readily perceive that Dr. Gatling's application to your committee for funds is to enable him to build an entirely different steel gun from the built-up gun of the Ordnance Bureau and of Europe; in fact, he desires to enter into competition with the Ordnance Bureau's designs and the guns of Europe and not to ask Congress to simply give him the money to build up a manufactory to make guns under the old established forms.

The Board of Ordnance and Fortifications, even if inclined to allot to Dr. Gatling the \$100,000 for his two guns, have no funds for that purpose, and a sufficient amount of money for experimental purposes has not been given them in the present bill to enable them to do anything in the interest of developing Dr. Gatling's invention; hence this application to Congress.

Dr. Gatling desires an addition to Senator HUNTON's amendment, as follows: After line 6 insert:

"And said guns when completed shall be tested in competition with two steel guns of similar caliber, made under the supervision of the Ordnance Bureau of the Army, and shall be fired until one or the other of said guns

shall be disabled. The tests shall be in the presence of Dr. Gatling or his agent, and the results of said tests shall be reported to Congress. The ammunition used shall be paid for by the Government."

Very respectfully,

C. E. CREECY,
Attorney for Dr. Gatling.

Mr. BERRY. Mr. President—

Mr. DOLPH. I renew my point of order.

Mr. BERRY. Will the Senator from Oregon permit me to make just a few remarks?

Mr. DOLPH. Very well.

Mr. BERRY. A bill is pending before the Committee on Coast Defenses embodying precisely the same proposition contained in the amendment offered by the Senator from Virginia. That bill has been, by order of the committee, referred to the Ordnance Bureau for report. No report has been received. I understand that no person connected with the War Department or the Ordnance Bureau has reported favorably upon this amendment. It has never been submitted to them. I suggest that, notwithstanding Dr. Gatling's great reputation, the Senate ought not to undertake to put such an amendment on an appropriation bill until there has been some test by the Ordnance Bureau and some report from the War Department or some official connected with it.

A number of schemes of various kinds are frequently presented to the Committee on Coast Defenses by parties making inventions asking that committee to consider them with the view of the Government making an appropriation, but it does seem to me absolutely unreasonable that Congress should be called upon to appropriate \$100,000 when no one connected with the Ordnance Bureau or the War Department has given any approval whatever to the scheme. I do not think the amendment ought to be considered further.

Mr. DOLPH. I renew my point of order.

Mr. HALE. I call for the regular order. If the Senator from Oregon intends to insist upon his point of order, I hope he will do it.

Mr. DOLPH. I insist on my point of order.

Mr. HALE. Nothing can be so futile as to discuss a question of this kind on its merits when the point of order is unanswered and throws it out of the bill.

Mr. DOLPH. I renew my point of order and insist on it.

Mr. HUNTON. Mr. President, with entire respect—

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. The regular order is called for.

Mr. HUNTON. With entire respect to the Chair, I ask that the point of order be submitted to the Senate.

Mr. HALE. Of course the Senator can ask that.

Mr. HUNTON. Yes; I am aware of it.

Mr. HALE. But there is no rule under which the Chair is obliged to submit so clear a point of order as this to the Senate.

Mr. HUNTON. I agree to that; there is no compulsion upon the Chair to do it, but I make the request, with the utmost respect to the ruling of the Chair.

The VICE-PRESIDENT. The Chair has his own opinion upon the point of order, but he dislikes to deny the request made by the Senator from Virginia.

Mr. HALE. It is an everyday practice that where points of order are made they are sustained, although some Senator is perhaps inconvenienced by his amendment being thrown out. I do not think the Chair has ever hesitated on a clear point of order.

The VICE-PRESIDENT. The Chair feels bound to state that he thinks the point of order is well taken, with all due respect to the request made by the Senator from Virginia. Are there further amendments to the bill in the Senate?

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.

ARKANSAS RIVER BRIDGE AT LITTLE ROCK, ARK.

Mr. BERRY. I ask unanimous consent to call up a bridge bill, simply extending for two years the time of completion of the bridge at Little Rock, Ark. It is very important that it should be passed at once, and it will not take five minutes. There is no objection to it.

Mr. STEWART. Let me get up the Army appropriation bill first.

Mr. BERRY. I ask unanimous consent that the Senate proceed to the consideration of the bill.

Mr. STEWART. I can not yield for anything that would take any time.

The VICE-PRESIDENT. What is the Order of Business?

Mr. BERRY. The bill was reported this morning and is not on the Calendar. A substitute was reported by the Senator from Missouri [Mr. VEST] this morning, from the Committee on Commerce.

The VICE-PRESIDENT. The Senator from Arkansas asks unanimous consent for the immediate consideration of the bill (S. 3798) to authorize the building of a railroad bridge at Little Rock, Ark. Is there objection? The Chair hears none. The bill is before the Senate as in Committee of the Whole, and will be read.

The Secretary proceeded to read the bill.

Mr. ALLISON. I do not wish to interfere with the reading of this long bill, but I wish to say—

Mr. BERRY. Mr. President—

Mr. ALLISON. If the Senator from Arkansas will allow me one moment, I wish to say that there is a rule of this body which provides that the Committee on Appropriations shall have the right of way for appropriation bills. In the exercise of that right, I think the universal sense of the Senate is that when appropriation bills are ready other business should for the moment be laid aside. When they are ready and under consideration I think it is unfair, to use a mild term, for the committee to yield to this, that, or the other bill, but the appropriation bills should either be continued or the contest should go on for precedence as respects legislation. So with the kindest disposition to the Senator from Arkansas I feel compelled, as the Senator from Nevada now has an appropriation bill ready, to object to the further consideration of the bill.

The VICE-PRESIDENT. Objection is made and the bill goes over.

Mr. BERRY. I sincerely hope the Senator from Iowa will let the consideration of the bill be continued. The reading is almost through, and I desire to have the Senate agree to the substitute reported by the Committee on Commerce, which is only one section, extending the time two years. That is all there is of it. It will not take five minutes. Unanimous consent was given for the consideration of the bill, and I appeal to the Senator from Iowa not to cut it off after the bill has progressed so far.

Mr. ALLISON. I will state to the Senator from Arkansas that Senators all around me have little bills of the same character, and they are appealing in the same way. Either the appropriation bills should be proceeded with, or else they should be set aside and other business be disposed of.

Mr. BERRY. Very well; if the Senator insists on his objection I must yield.

ARMY APPROPRIATION BILL.

Mr. STEWART. I move that the Senate proceed to the consideration of the bill (H. R. 9825) making appropriations for the support of the Army for the fiscal year ending June 30, 1894, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Appropriations with amendments.

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

The VICE-PRESIDENT. That course will be pursued if there be no objection.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, in the appropriations "for pay of the general staff," on page 2, line 19, after the words "sixty-eight thousand," to insert "five hundred;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$16,000; in all, \$88,500.

The amendment was agreed to.

The next amendment was, on page 3, line 7, before the word "monthly," to insert "current;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$77,000; in all, \$316,500.

The amendment was agreed to.

The next amendment was, on page 5, line 18, after the word "thousand," to strike out "one hundred;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$6,280; in all, \$29,080.

The amendment was agreed to.

The next amendment was, at the end of the clause on page 5, line 19, after the word "dollars," to insert the following proviso:

Provided, That whenever a vacancy in the grade of brigadier-general shall occur by reason of the death or retirement from active service of the present Chief Signal Officer, said vacancy shall not be filled, but said grade shall cease and determine, and thereafter the Chief Signal Officer of the Army shall have the rank, pay, and allowances of a lieutenant-colonel, which office shall be filled by regular promotion in the Signal Corps.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous," on page 8, line 18, after the word "dollars," to insert:

To be allotted by the Secretary of War to the War Department and to the several military departments, and not more than three-fifths of said amount shall be expended during the first half of the fiscal year and not more than one-half of the remainder during each of the remaining quarters;

The amendment was agreed to.

For mileage to officers when traveling on duty without troops, when authorized by law, not to exceed \$160,000, to be allotted by the Secretary of War to the War Department and to the several military departments, and not more than three-fifths of said amount shall be expended during the first half of the fiscal year and not more than one-half of the remainder during each of the remaining quarters.

The amendment was agreed to.

The next amendment was, on page 9, line 22, to reduce the total amount of the appropriations "for pay and general expenses of the Army" from "\$13,256,889.78" to "\$13,256,789.78."

The amendment was agreed to.

The next amendment was, in the appropriations for "Subsistence Department," on page 10, line 10, after the words "ten million," to strike out "one hundred and three thousand five hundred and sixty-five" and insert "seventeen thousand four hundred and twenty-five;" so as to read:

For the purchase of subsistence supplies for issue as rations to troops, civil employees when entitled thereto, hospital matrons, military convicts at posts, prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), estimated for the fiscal year on the basis of ten million, 17,425 rations.

The amendment was agreed to.

The next amendment was, in the same clause, on page 10, line 16, after the word "payments," to strike out "of" and insert "for," so as to read:

For payments for cooked rations for recruiting parties or recruits.

The amendment was agreed to.

The next amendment was, in the appropriations for "incidental expenses," on page 14, line 21, after the word "under," to strike out "the" and insert "this;" so as to read:

Provided, That the number of horses purchased under this appropriation, added to the number on hand, shall not at any time exceed the number of enlisted men and Indian scouts in the mounted service, etc.

The amendment was agreed to.

The next amendment was, in the appropriations for "Army transportation," on page 16, line 5, after the word "distance," to strike out "including the supply of the post of Fort Myer, Va., with water from the main of the Washington Aqueduct," so as to read:

For procuring water and introducing same to buildings at such posts as from their situation require it to be brought from a distance, and for the disposal of sewage and drainage, and for constructing roads and wharves, etc.

The amendment was agreed to.

The next amendment was, on page 16, line 14, to increase the total amount of the appropriations for "Army transportation" from "\$2,600,000" to "\$2,700,000."

The amendment was agreed to.

The next amendment was, on page 18, in line 23, after the word "Navy," to strike out "hospitals" and insert "Hospital;" so as to make the clause read:

Construction and repairs of hospitals: For construction and repairs of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., except quarters for the officers, \$50,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Medical Department," on page 20, line 8, after the word "Navy," to strike out "General;" so as to read:

For the proper care and treatment of cases in the Army suffering from contagious and epidemic diseases, and the supply of the Army and Navy Hospital at Hot Springs, Ark., advertising, and other miscellaneous expenses of the Medical Department, \$185,000.

The amendment was agreed to.

The next amendment was, on page 20, line 24, before the word "thousand," to strike out "six" and insert "seven;" so as to make the clause read:

Medical Museum and Library: For Army Medical Museum, preservation of specimens, and the preparation and purchase of new specimens, \$5,000; for the library of the Surgeon-General's Office, \$7,000.

The amendment was agreed to.

The next amendment was, on page 20, line 25, to increase the total amount of the appropriations for "Medical Museum and Library" from "\$11,000" to "\$12,000."

The amendment was agreed to.

The next amendment was, on page 23, line 10, after the word "that," to insert:

No part of this appropriation shall be expended for the manufacture of magazine rifles of foreign invention until such magazine rifles of American invention as may be presented for tests to the War Department within the next sixty days shall have been tested by the Board of Ordnance and Fortification. If the decision of said Board shall be in favor of any American invention and shall also receive the approval of the Secretary of War, then

this appropriation, or such part thereof as the Secretary may direct, shall be expended in the manufacture of such American arm: *Provided further*, That if no such American invention shall be recommended by said Board or receive the approval of the Secretary of War—

So as to read:

For manufacture of arms at the national armories, \$400,000: *Provided*, That no part of this appropriation shall be expended for the manufacture of magazine rifles of foreign invention until such magazine rifles of American invention as may be presented for tests to the War Department within the next sixty days shall have been tested by the Board of Ordnance and Fortification. If the decision of said Board shall be in favor of any American invention and shall also receive the approval of the Secretary of War, then this appropriation, or such part thereof as the Secretary may direct, shall be expended in the manufacture of such American arm: *Provided further*, That if no such American invention shall be recommended by said Board or receive the approval of the Secretary of War this appropriation shall be applicable to the manufacture of the magazine arm recommended for trial by the Board recently in session and approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in the appropriations for "Recruiting service," on page 24, in line 9, before the word "thousand," to strike out "twenty" and insert "thirty;" so as to read:

For expenses of recruiting and transportation of recruits from rendezvous to depot, including sending of recruiting parties to small towns, and not exceeding \$1,200 for the payment of a clerk to the officer disbursing the appropriation; in all, \$130,000.

The amendment was agreed to.

The next amendment was, on page 24, line 10, to insert:

And hereafter, in time of peace, no recruit shall be enlisted in the Army for the first time who is over 30 years of age, and no person shall be re-enlisted who has served ten years or more, or who is over 35 years of age, except such as has already served as enlisted men for twenty years or upwards.

The amendment was agreed to.

The next amendment was, in the appropriations for "Signal Service," on page 25, after line 3, to insert:

For construction, maintenance, and repair of a military telegraph line from Fort Ringgold, Tex., to Fort McIntosh, Tex., \$17,000.

The amendment was agreed to.

The reading of the bill was concluded.

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

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 3, after the word "dollars," it is proposed to insert:

And on and after the 1st day of July, 1893, the pay per month for first sergeants shall be \$30 per month, sergeants \$18 per month; and in both classes the increase of pay for length of service as now provided by law.

Mr. STEWART. That is an increase of pay. I hope the amendment will not be adopted. I do not think this a time for increasing pay, and if any action be taken in reference to the matter it should come in a separate bill from the Committee on Military Affairs.

Mr. PROCTOR. This amendment is part of an amendment reported from the Committee on Military Affairs; one part of it has been waived. The Committee on Military Affairs reported an amendment increasing the pay of sergeants-major, regimental quartermaster-sergeants, first sergeants, sergeants, and corporals. That proposed amendment was almost identical with a bill which passed the Senate at the last session. In order to comply, if possible, with the views of the Committee on Appropriations, we have dropped the bulk of that, and only included the first sergeants in the increase of pay, with a proposed increase to sergeants of \$1.

The Committee on Appropriations, on page 24, have reported a very important amendment, which has been adopted, and which will tend to discourage enlistments, as it practically does away with the retired list. I approve of that amendment in the interest of economy, but some increase of inducement to enlistments should go along with it. This is a very slight amendment to counteract the evils which may result from diminished enlistments.

Mr. STEWART. How much will the increase per annum be?

Mr. PROCTOR. The increase per annum to first sergeants by this proposed amendment will be \$41,280, the increase to sergeants of \$1 a month will be \$22,363, or about \$64,000 altogether.

There is another reason for this proposed change. The change of arms which has just been adopted, the adoption of repeating long-range rifles and the change in the tactics adopted and in use in the Army by the militia, makes an entire revolution in the duties of noncommissioned officers. They must hereafter be in command of men whether in drill or in line of battle, which greatly increases their responsibility and calls for a much better class of men. The inducements to bring in a suitable class of men must therefore be better than they are, and especially in view of this practical abolition of the retired list. I think it is certainly a very small increase to offset the decrease of enlistments which will follow the abolition of the retired list.

Mr. STEWART. I hope the amendment will not be adopted. I do not think we should at this time in an appropriation bill increase the pay of officers.

Mr. MANDERSON. On the contrary, Mr. President, I hope the amendment will prevail. It has the approval not only of the Committee on Military Affairs of the Senate, but I think the Committee on Military Affairs of the House of Representatives have also reported favorably a separate bill for this increase.

Not only that, but it has had the approving sanction of the Senate itself. I think that on more than one occasion a bill has passed the Senate recognizing that there is such discrepancy between the pay of the enlisted men of the Army and the noncommissioned officers, that for better discipline and for better government of the Army there should be an increase in the pay of the noncommissioned officers. The fact is, that under existing conditions the pay of private soldiers on extra duty is greater than the pay of the noncommissioned force of the Army; and it goes without saying that the efficiency of the Army is due to the efficiency and devotion to duty of the sergeants of the Army. They are its drill masters; they are the men who contribute perhaps more than many commissioned officers to the Army efficiency.

I earnestly hope that this amendment, which, as I say, has received the sanction of the Committees on Military Affairs of the Senate and House of Representatives, the sanction of the War Department, and the sanction of the passage of a separate bill by the Senate itself, may prevail. The amount which the amendment proposes to add is trifling as compared with the important results which will come from its adoption.

Mr. CULLOM. What is the amount?

Mr. MANDERSON. Probably the amount is less than \$60,000, as just given by the Senator from Vermont [Mr. PROCTOR].

Mr. HAWLEY. Mr. President, every improvement which has been made in the condition of the enlisted man has turned out to be a matter of economy, though it may have been *prima facie* an additional expense. All the pains taken, all the expenditures required to save a portion of the sum of the soldier's wages that they might be turned over to him at the end of the term, everything which relates to the new canteen in place of the old sutler shops, all that pertain to schools, all that pertain to libraries, and a number of improvements and changes of that description have tended very greatly to reduce the percentage of desertion. There has been an extraordinary reduction in that respect. I should say that comes partially from the better care taken for the enlistment of a superior class of men.

It has been found to be the highest economy to turn attention to the condition of the enlisted force, and there is no part of the improvements which have been made which is in any sense more important than those for the elevation of the condition of noncommissioned officers.

I think it was the Senator from Vermont [Mr. PROCTOR] who called attention to a very significant thing, that we are changing the tactics of war, that we are having long-range, small-calibered rifles, and in modern tactics men are to be deployed in long, thin lines; the day of fighting in masses or in deep columns has passed away; and additional responsibility is coming upon every corporal and every sergeant, for he will be, as the Senator said, practically in absolute command.

The captain can not reach the full length of his company to deploy them in the modern skirmish line. We have to rely more and more on the individuality of the private soldier. The fighting is going to be by a scattered swarm of men and not by men in solid ranks who can be reached by magazine guns, Gatling guns, etc.

The sensible thing to do is to get a first-rate set of men for your noncommissioned officers and to give them additional pay. That will tend to bring a better class of men into the service, who will have this line of ambition opened up before them.

Mr. PLATT. What is the present pay of noncommissioned officers?

Mr. PROCTOR. Seventeen dollars a month to sergeants and \$22 to first sergeants.

Mr. PLATT. What is the pay of a corporal?

Mr. PROCTOR. Fifteen dollars a month.

Mr. PALMER. Mr. President, no small reform promises as good results as those proposed by the amendment now under consideration and by another amendment to the bill reported by the Committee on Appropriations and agreed to by the Senate. That amendment provides:

And hereafter, in time of peace, no recruit shall be enlisted in the Army for the first time who is over 30 years of age, and no person shall be reenlisted who has served ten years or more or who is over 35 years of age except such as have already served as enlisted men for twenty years or upwards.

That reduces the classes from which enlistments can be made, very much to the benefit of the service. It is a fact well understood by all who have given the slightest attention to the present state of war and the methods of war that the importance of the noncommissioned officers is greatly increased. There is an absolute necessity for offering inducements to competent men

to enlist, and the proposed increase in the amount of pay is supposed to be in that direction.

If the purpose is to improve the Army, I wish to say that I listened to the speeches proposing fortifications and all that, but I am indebted to a Senator who usually sits to my left for the phrase that this country will have to be defended by the walkers, by the men who carry muskets. What we need is to make our little Army most efficient in the rank and file and that the commissioned and noncommissioned officers shall be alike intelligent; but you can not get them without paying a reasonable compensation.

Mr. COCKRELL. Mr. President, year by year the importance of the position of sergeant in the Army becomes greater and greater, and the necessity for higher intelligence and for the exercise of more authority has increased. This is one of the few cases in which I think there ought to be an increase in the amount of the salary in order to induce a class of men to go into the Army whose capacity will be sufficient to discharge the duties of sergeant.

In fact, this amount is not as large as the Committee on Military Affairs recommended. It is, however, as large as I thought it should be made. I was opposed to placing the limit at what the majority of the Committee on Military Affairs favored, and this is a compromise amount, \$30, and not \$32 or \$34, as the committee recommended. I believe it will be in the interest of the Army that this increase shall be made.

Mr. ALLISON. The pending amendment was before the Committee on Appropriations in a little different form from that in which it is now offered, and we refrained from recommending it to the Senate. For myself, after hearing what has been said by the Senator from Vermont [Mr. PROCTOR], who so ably managed the War Department, the Senators from Connecticut and Nebraska, and finally the Senators from Illinois and Missouri, I shall not object to the amendment.

I wish to say, however, that I think it is not a wise method of reorganizing the Army to do it on an appropriation bill. That is the protest which I wish to make here as respects this proposed legislation. It is independent legislation having no relation to appropriations; but I shall not object to it after what has been stated.

The amendment was agreed to.

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

Mr. PEFFER. I offer an amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 20, line 17, after the word "supplies" it is proposed to insert:

Provided further, That no spirituous, vinous, malt, or other intoxicating liquors, nor any fluid mixture of any character or description which produces intoxication, shall be sold on the grounds or within the boundaries of any United States post or military reservation or national soldiers' home, except for medical purposes on the prescription of a post surgeon, or for mechanical or scientific purposes on the order of the officer in command of the post or reservation.

Mr. STEWART. I make the point of order on the amendment that it has not been referred to and reported by any committee.

The VICE-PRESIDENT. The Chair rules that the point of order is well taken.

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.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 10038, being the District of Columbia appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10038) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1894, and for other purposes.

Mr. ALLISON. I ask unanimous consent that the formal reading of the bill may be dispensed with, that the amendments of the Committee on Appropriations may be first considered, and considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. That course will be pursued if there be no objection. The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, under the head of "general expenses," in the appropriations "for salaries and contingent expenses for executive office," on page 2, line 25, after the word "thousand," to insert "five hundred;" on page 3, line 1, before the words "assistant inspectors," to strike out "three" and insert "four;" and in line 3, before the word "hundred," to strike out "forty-five

thousand one" and insert "forty-six thousand six;" so as to make the clause read:

One chief inspector of plumbing, \$2,500; four assistant inspectors of plumbing, at \$1,000 each; and one harbor master, \$1,200; in all, \$46,641.

The amendment was agreed to.

The next amendment was, in the appropriations "for assessor's office," on page 3, line 15, after the word "dollars," to strike out "one clerk, \$900," and insert "two clerks, at \$900 each;" and in line 16, after the word "all," to strike out "twenty-two thousand five" and insert "twenty-three thousand four;" so as to make the clause read:

For assessor's office: For one assessor, \$3,000; two assistant assessors, at \$1,000 each; one special assessment clerk, \$1,700; two clerks, at \$1,400 each; two clerks, at \$1,200 each; one clerk and draftsman, \$1,200; three clerks, at \$1,000 each; one clerk, in charge of records, \$1,000; one license clerk, \$1,200; one inspector of licenses, \$1,200; one assistant or clerk, \$900; two clerks, at \$900 each; in all, \$23,400.

The amendment was agreed to.

The next amendment was, in the appropriations "for collector's office," on page 3, line 22, after the word "each," to insert "one clerk and messenger, \$1,000;" and in line 24, before the word "thousand," to strike out "thirteen" and insert "fourteen;" so as to make the clause read:

For collector's office: For one collector, \$4,000; one cashier, \$1,800; one bookkeeper, \$1,600; two clerks, at \$1,400 each; two clerks, at \$1,200 each; one clerk and messenger, \$1,000; and one messenger, \$800; in all, \$14,200.

The amendment was agreed to.

The next amendment was in the appropriations "for engineer's office," on page 5, line 22, under the subhead of "subsurface division," after the word "dollars," to insert "one assistant inspector of gas and meters, \$1,000."

The amendment was agreed to.

The next amendment was, on page 6, line 2, to increase the total amount of the appropriations for "subsurface division" from "\$42,630" to "\$43,630."

The amendment was agreed to.

The next amendment was in the appropriations "for contingent expenses of stables of the Engineer Department" on page 9, line 5, after the word "halters," to strike out "Jacks" and insert "jacks."

The amendment was agreed to.

The next amendment was, on page 10, line 18, before the word "thousand," to strike out "three" and insert "four;" so as to make the clause read:

Plats of subdivisions outside of Washington and Georgetown: To pay the expenses of such surveys as may be necessary to enable the Commissioners of the District to determine if plats of subdivisions of land within the District offered for record have been made in conformity to the "Act to regulate subdivision of land within the District of Columbia," approved August 27, 1888, \$4,000.

The amendment was agreed to.

The next amendment was, under the head of "Permit work," on page 10, after line 24, to insert:

For paving and curbing the roadway of any street in the District of Columbia, ordered by the District Commissioners, upon payment in advance by the owners of abutting property of one-half the estimated cost of said work, \$25,000: *Provided*, That said pavement shall join, abut upon, or connect with some existing pavement, and that the work so done shall be complete for the entire width of roadway, and shall in length be at least one square; and this appropriation shall be available for removing and repaving parking on New York avenue, between Ninth and Tenth streets, under the provisions of the compulsory permit system.

The amendment was agreed to.

The next amendment was, on page 11, after line 10, to insert:

That the provision in the District appropriation act of March 3, 1891, authorizing assessment against abutting property for new sidewalks or curbing required to be laid on streets being improved is amended so as to read as follows:

"That when new sidewalks or curbing are hereafter required to be laid on streets being improved, one-half the total cost shall be assessed against abutting property, in like manner and under the law governing in the case of compulsory permit work: *Provided*, That abutting property shall not be liable to such assessment when sidewalk and curbing have been laid by the District authorities in front of the same under the permit system within two years prior to such assessment, and all such charges and assessments shall be refunded or abated."

The amendment was agreed to.

The next amendment was, on page 12, under the head of "Improvements and repairs," in line 4, before the word "thousand," to strike out "one hundred and fifty" and insert "three hundred;" so as to read:

For work on sundry streets and avenues named in Appendix Dd, Book of Estimates, 1894, \$300,000, to be expended in the discretion of the Commissioners upon streets and avenues specified in the schedules named in said appendix and in the aggregate for each schedule as stated herein, etc.

The amendment was agreed to.

The next amendment was on page 12, line 9, to increase the appropriation for "Georgetown schedule" from "\$12,750" to "\$25,500."

The amendment was agreed to.

The next amendment was on page 12, line 11, to increase the

appropriation for "Northwest section schedule" from "\$57,000" to "\$114,000."

The amendment was agreed to.

The next amendment was on page 12, line 13, to increase the appropriation for "Southwest section schedule" from "\$19,500" to "\$39,000."

The amendment was agreed to.

The next amendment was on page 12, line 15, to increase the appropriation for "Southeast section schedule" from "\$28,500" to "\$57,000."

The amendment was agreed to.

The next amendment was on page 12, line 17, to increase the appropriation for "Northeast section schedule" from "\$32,250" to "\$64,500."

The amendment was agreed to.

The next amendment was on page 12, line 20, after the words "shall be" to strike out "completed" and insert "contracted for;" and after the word "schedule" at the end of the line 22, to insert "and be completed in such order as nearly as practicable;" so as to make the proviso read:

Provided, That the streets and avenues shall be contracted for in the order in which they appear in said schedules and be completed in such order as nearly as practicable.

The amendment was agreed to.

The next amendment was, on page 13, line 3, to change the date "1886" to "1892;" so as to read:

That under appropriations contained in this act no contract shall be made for making or repairing concrete or asphalt pavement at a higher price than \$2 per square yard for a quality equal to the best laid in the District of Columbia prior to July 1, 1892, and with same depth of base.

The amendment was agreed to.

The next amendment was, on page 13, under the head of "sewers," to increase the appropriation "for main and pipe sewers," from "\$105,660" to "\$151,457."

The amendment was agreed to.

The next amendment was, on page 13, line 25, after the word "dollars," to insert:

Provided, That the limit of the cost of the main intercepting sewer, authorized in the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes, approved July 14, 1892, is hereby fixed at not to exceed \$250,000, instead of \$225,000, as prescribed in the said act.

The amendment was agreed to.

The next amendment was, on page 14, line 9, to increase the appropriation "for suburban sewers" from "\$52,500" to "\$106,175."

The amendment was agreed to.

The next amendment was, on page 14, after line 11, to insert: For Rock Creek intercepting sewer, \$40,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to insert: For completing the sewer draining the Soldiers' Home grounds, from or near Albany street to the head of the completed main sewer, \$10,000, on condition that \$5,000 additional shall be contributed therefor.

The amendment was agreed to.

The next amendment was, on page 14, line 21, before the word "thousand," to strike out "one" and insert "six;" so as to make the clause read:

For condemnation of rights of way for construction, maintenance, and repairs of public sewers, \$6,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 14, after line 24, to insert: For fencing James Creek Canal, \$3,000.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 15, line 5, after the word "sewer," to strike out "and water departments" and insert "department;" so as to read:

Repairs of streets, avenues, and alleys; For current work of repairs of streets, avenues and alleys, including the repair of cuts made by the sewer department, forty thousand dollars.

The amendment was agreed to.

The next amendment was, on page 15, to strike out lines 10 and 11, as follows:

For grading Champlain avenue from Florida avenue to Columbia road (changing grade), \$10,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 11, to insert: For grading and regulating Champlain avenue, from Florida avenue to Columbia road (changing grade) and grading Sixteenth street northwest, extended, Prospect street, Crescent street, Superior street, and Ontario avenue, Meridian Hill, \$15,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 16, to insert: For grading and graveling Roanoke and Irving streets, from Seventh to Fourteenth streets, \$7,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 18, to insert: For paving Brightwood avenue, from Irving street northward, \$10,000.

The amendment was agreed to.

The next amendment was, on page 15, line 21, after the word "Jefferson," to insert "street;" and in line 22, before the word "thousand," to strike out "fourteen" and insert "thirty-six;" so as to make the clause read:

For grading and regulating Jefferson street (Anacostia), \$4,000; in all \$36,000.

The amendment was agreed to.

The next amendment was, on page 15, line 25, to increase the appropriation "for sprinkling, sweeping, and cleaning streets, avenues, alleys, and suburban streets" from "\$115,000" to "\$130,000."

The amendment was agreed to.

The next amendment was, on page 16, line 12, before the word "thousand," to strike out "forty-one" and insert "fifty;" so as to read:

Lighting: For illuminating material, lighting, extinguishing, repairing, and cleaning public lamps on avenues, streets, roads, and alleys, and for purchasing and erecting new lamp-posts, lanterns, moving lamp-posts, painting lamp posts and lanterns, and replacing lamp-posts and lanterns damaged or unfit for service, \$150,000.

The amendment was agreed to.

The next amendment was, on page 17, line 1, after the word "laboratories," to insert "at a cost not to exceed \$1,000 each;" so as to read:

That for securing a better fulfillment of the intent of an act entitled "An act regulating gas works," approved June 23, 1874, two additional laboratories, at a cost not to exceed \$1,000 each, shall be provided and fitted up by the Washington Gas Light Company, subject to the approval of the Commissioners of the District of Columbia, etc.

The amendment was agreed to.

The next amendment was, on page 17, line 15, after the word "laboratory," to insert "at a cost not to exceed one thousand dollars;" so as to read:

And for securing the better fulfillment of the intent of the said act, a laboratory, at a cost not to exceed \$1,000, shall be provided and fitted up by the Georgetown Gas Light Company, subject to the approval of the Commissioners of the District of Columbia, etc.

The amendment was agreed to.

The next amendment was, on page 18, line 16, after the word "respective," to insert "receipts from;" so as to read:

Provided further, That the Washington Gas Light Company and the Georgetown Gas Light Company shall, at the beginning of each fiscal year, in proportion to their respective receipts from sales of gas for the fiscal year immediately preceding, provide in advance, by depositing with the collector of taxes of the District of Columbia, a sum sufficient to pay the salary of an inspector of gasfitting, to be appointed by the Commissioners of the District of Columbia, at \$1,000 per annum, and also the necessary expenses of maintaining the service of inspecting and testing illuminating gas and gas meters, as estimated by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 19, line 15, after the word "act," to insert:

Provided further, That each gas company in the District of Columbia shall, at its sole and entire expense, make reasonable extensions of its gas mains whenever the said extensions shall be necessary for maintaining street lamps for the public safety and comfort, and the said Commissioners shall regulate the location and depth of the said gas mains in the streets, avenues, roads, alleys, and spaces of the District of Columbia. Any failure to comply with this provision shall be reported to Congress by the Commissioners.

The amendment was agreed to.

The next amendment was, on page 20, line 22, after the word "services," to insert "including repair of harbor boat;" and in line 23, before the word "dollars," to strike out "two thousand six hundred," and insert "three thousand;" so as to make the clause read:

Harbor and river front: For the improvement and protection of the harbor and river front, the enforcement of laws and regulations, construction and maintenance of wharves and buildings, and for other necessary items and services, including repair of harbor boat, \$3,000.

The amendment were agreed to.

The next amendment was, on page 20, line 25, before the word "hundred," to strike out "one" and insert "two;" so as to read: For public scales: For repair and replacement of public scales, \$200.

The amendment was agreed to.

The next amendment was under the head of "Care of bridges," on page 21, line 8, after the word "dollars," to insert:

And the control of bridges, except the Aqueduct bridge across Rock Creek, in the District of Columbia, is hereby conferred on the Commissioners of the District of Columbia, and they are hereby required to make such proper regulations as they may deem necessary for the safety of the public using said bridges, and for the lighting and the police control of the same.

The amendment was agreed to.

The next amendment was, on page 21, under the head of "Washington Aqueduct," in line 17, after the word "dollars," to insert:

Provided, That no portion of the water conveyed or to be conveyed through or by means of the Washington Aqueduct, or any appurtenance thereto, shall be diverted to the supply or use of any building, premises, or establishment located outside of the existing limits of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 21, after line 22, to insert:

Towards improving the receiving reservoir by the works required for cutting off the drainage into it of polluted water and sewage from the surrounding country, for the purchase or condemnation of the small amount of land required for the purpose, and for the excavation necessary at the head of the reservoir, \$75,000: Provided, That the whole cost of the work shall not exceed the sum of \$150,000, to be done by contract or otherwise as the Secretary of War may determine: Provided further, That notwithstanding the limitation prescribed by the acts of Congress approved July 15, 1882, and February 26, 1885, the Secretary of War be, and he is hereby, authorized to pay to Thomas Ready the sum of \$470,90 out of the unexpended balance of the appropriation of \$51,370 to pay for land to extend aqueduct, made by the act entitled "An act to increase the water supply of the city of Washington, and for other purposes," approved July 15, 1882, which sum shall be in full for the appraised value of land owned by the said Thomas Ready and taken by the United States for the requirements and purposes of that act: Provided, That no payment hereunder shall be made until the Attorney-General shall have decided that an absolute title to the premises shall vest in the United States.

The amendment was agreed to.

The next amendment was, on page 25, line 6, after the word "school," to insert "building;" and in line 8, after the word "school," to insert "building;" so as to read:

For janitors and care of buildings and grounds: for care of the high school building of the first six divisions, \$2,000; of the Jefferson building, \$1,400; of the Eastern high school building of the first six divisions, etc.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to insert: For one eight-room building and addition to present site on Four-and-one-half street, south of M street southwest, \$37,000.

The amendment was agreed to.

The next amendment was, on page 27, after line 18, to insert: For purchase of lot east of Slater school building, 2,000 square feet, \$2,700.

The amendment was agreed to.

The next amendment was, on page 27, after line 20, to insert: For additional amount for purchase of ground in rear of Brightwood school, \$150.

The amendment was agreed to.

The next amendment was, under the head of "For Metropolitan police," on page 28, line 25, before the word "sergeants," to strike out "thirty" and insert "thirty-one;" on page 29, line 1, before the words "privates class 1," to strike out "twenty" and insert "thirty;" in line 2, before the words "privates class 2," to strike out "seventy" and insert "seventy-five;" in line 5, before the word "laborers," to strike out "eight" and insert "nine;" in line 10, before the word "lieutenants," to strike out "thirty-eight" and insert "forty-three;" in line 15, before the word "drivers," to strike out "thirteen" and insert "fifteen;" and in line 17, before the word "dollars," to strike out "four hundred and eighty-two thousand six hundred and sixty" and insert "five hundred thousand two hundred and forty;" so as to make the clause read:

FOR METROPOLITAN POLICE.

For one major and superintendent, \$3,300; one captain, \$1,800; two lieutenants, inspectors, at \$1,500 each; one chief clerk, who shall also be property clerk, \$1,800; one clerk, \$1,500; one clerk, \$900; four surgeons of the police and fire departments, at \$510 each; for additional compensation for twelve privates detailed for special service in the detection and prevention of crime, \$2,880, or so much thereof as may be necessary; nine lieutenants, at \$1,320 each; thirty-one sergeants, at \$1,140 each; two hundred and thirty privates, class 1, at \$900 each; one hundred and seventy-five privates, class 2, at \$1,080 each; twenty station keepers, at \$720 each; nine laborers, at \$480 each; one laborer in charge of the morgue, \$680; one messenger, \$700; one messenger, \$500; one major and superintendent, mounted, \$240; one captain, mounted, \$240; forty-three lieutenants, sergeants, and privates, mounted, at \$240 each; one van driver, \$330; one ambulance driver, \$480; two assistant ambulance drivers, at \$300 each; fifteen drivers of patrol wagons, at \$360 each; three police matrons, at \$600 each; in all, \$600,240.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous," on page 29, line 23, to increase the appropriation "for repairs of stations" from "\$2,000" to "\$2,500."

The amendment was agreed to.

The next amendment was, on page 30, line 6, before the word "thousand," to strike out "sixteen" and insert "eighteen;" so as to make the clause read:

For miscellaneous and contingent expenses, including stationery, books, telegraphing, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds and bed-clothing, insignia of office, purchase and care of horses, police equipments and repairs of same, harness, forage, repairs to vehicles, van, ambulance, and patrol wagons, and expenses incurred in prevention and detection of crime, and other necessary items, \$18,750.

The amendment was agreed to.

The next amendment was, on page 30, line 8, to increase the total appropriations for miscellaneous items from \$22,150 to \$24,650.

The amendment was agreed to.

The next amendment was, on page 30, after line 9, to insert: For covers for patrol wagons, \$150.

The amendment was agreed to.

The next amendment was, on page 30, after line 11, to insert: For two light wagons, harness, and horses, \$725.

The amendment was agreed to.

The next amendment was under the head of "For the fire department," page 31, after line 14, to insert:

For new engine and house, lot and furniture for same, \$29,500.

The amendment was agreed to.

The next amendment was, on page 31, line 21, to increase the total appropriations for "the fire department" from \$32,300 to \$61,800.

The amendment was agreed to.

The next amendment was under the head of "Telegraph and telephone service," page 32, line 13, to increase the appropriation "for general supplies, repairs, etc.," from \$8,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 13, to insert: To make present lines secure, \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Health department," page 32, line 16, before the word "sanitary," to strike out "eight" and insert "ten;" in line 17, before the word "food," to strike out "and;" and in the same line, after the word "food," to insert "and garbage;" so as to read:

Ten sanitary, food, and garbage inspectors, etc.

The amendment was agreed to.

The next amendment was, under the head of "Health department," on page 33, line 2, after the word "messenger," to insert "and janitor;" so as to read:

One messenger and janitor, \$540.

The amendment was agreed to.

The next amendment was, on page 33, line 6, to increase the total appropriations for the health department from \$25,740 to \$28,140.

The amendment was agreed to.

The next amendment was, on page 33, line 10, before the word "and" where it occurs the second time, to strike out "garbage" and insert "garbage."

The amendment was agreed to.

The next amendment was, on page 33, after line 11, to insert the following proviso:

Provided. That the Commissioners of the District of Columbia may, in their discretion, allow an additional sum, not exceeding 50 cents per ton, for the removal of said garbage in steel tanks or carts, and its immediate destruction within the limits of the District, and the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated for such purposes, and the appropriation for the current fiscal year of \$2,500, or so much thereof as may be necessary, may be expended in the same way for the same purposes.

Mr. McMILLAN. I offer an amendment to the amendment of the committee. I move to add the following additional proviso:

Provided further. That said Commissioners may in their discretion, in case the safety and health of the District in their judgment requires it, allow for the daily collection of garbage during the months of May, June, July, August, and September of the year 1893 an additional sum not exceeding \$1,000 per month during the time when such daily collection is made to the satisfaction of the Commissioners, and the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for such purpose.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Michigan to the amendment of the committee.

Mr. COCKRELL. I should like to have some explanation of the amendment to the amendment.

Mr. McMILLAN. The people of the District of Columbia are complaining very much in regard to the collection of garbage. As now arranged, during the very hot months the garbage will be collected about two or three times a week, and it is not collected as often as that in some cases.

A great many of the houses in the District have very little back premises, and in case we should have an extremely warm season, as we are likely to have, the people here are afraid of the consequences, especially if we should be visited by cholera. They have asked for this additional service with practical unanimity. They ask that the Commissioners shall have power given them to have a daily service in removing garbage if they find it is necessary, and the work is put in their charge. If the weather is extremely hot and we have a great deal of sickness here, the Commissioners will have the power under my amendment to have the garbage removed daily. That is all there is of it.

Mr. SHERMAN. How much is proposed to be appropriated?

Mr. McMILLAN. Five thousand dollars or \$1,000 a month.

Mr. HARRIS. It is to be wholly discretionary with the Commissioners. If absolutely necessary they may exercise the power, and if it is not necessary they will not do it.

Mr. COCKRELL. Will it give anything for garbage inspectors?

Mr. McMILLAN. It will give nothing at all for garbage inspectors. It is simply to remove the garbage, which ought to be removed every day in hot weather.

Mr. COCKRELL. I think some appropriation ought to be

made for this purpose, but the garbage collections ought to be reduced to a system and a method. The sanitary and food and garbage inspectors ought to go around with their eyes open so as to see anything deleterious to health or to food, or any garbage. The sanitary or food inspectors should not pass along and see garbage collected and say nothing about it. They ought to perform all such duties.

When this city shall have been divided and districted properly into garbage districts the police, in the discharge of their official duties as conservators of the peace, can be made the most efficient garbage inspectors that can be had, and they can perform this duty while they are performing their duties as policemen. They can go through the alleys, and they can report the collection of garbage. There ought to be garbage districts to correspond with the districts of the policemen upon their beats, and the policemen ought to be required to make a report whenever the garbage is not collected.

If they are made to do what they can do without any great increase of their labors, the present system of collection three times a week will preserve this city and keep it clean. If the policeman do not do it, if there is not a division of the District into garbage districts to correspond with the others and these officers are not put over them, the chances are that even if we make this appropriation the garbage will not be collected as efficiently as it ought to be.

I hope, however, the system which has been adopted will secure the collection of garbage. We have reversed the policy heretofore prevailing in this city, where it was to the interest of the contractor to collect no garbage, and the less garbage he collected the less he expended, the greater was his profit. We are now trying to reverse that so as to make it to the interest of the parties to collect every bit they can, because they are to get paid for it by the ton.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "courts," page 34, line 7, after the word "dollars," to strike out "one deputy clerk, \$1,000" and insert "two deputy clerks, at \$1,000 each;" in line 13, before the word "dollars," to strike out "heaterman, four hundred and twenty" and insert "engineer, nine hundred;" and in line 14, before the word "dollars," to strike out "sixteen thousand seven hundred and sixteen" and insert "eighteen thousand one hundred and ninety-six;" so as to make the clause read:

For the police court: For two judges, at \$3,000 each; compensation of two justices of the peace acting as judges of the police court during the absence of said judges, not exceeding \$300 each; one clerk, \$2,000; one deputy clerk, \$1,500; two deputy clerks, at \$1,000 each; three bailiffs, at \$3 per day each, \$2,817; one deputy marshal, at \$3 per day, \$939; one messenger, \$900; one doorkeeper, \$540; one engineer, \$900; in all, \$18,196.

The amendment was agreed to.

The next amendment was on page 35, after line 22, to insert:

MUNICIPAL BUILDING.

The Commissioners of the District of Columbia are hereby authorized and directed to obtain by advertisement, detailed plans, estimates, and specifications for a fireproof municipal building, to cost not to exceed \$500,000, to be located on the reservation north of the Washington Market building, between Seventh and Ninth streets NW, in the city of Washington.

The Commissioners shall select from the plans, estimates, and specifications received, one, for which \$2,000 is hereby appropriated. The payment of said sum to the successful competitor shall be in full for all claims or compensation whatsoever.

Mr. GORMAN. This amendment provides practically for the construction of a building for the District of Columbia to accommodate all the offices, the police court and everything connected with the District, the building to be erected on the Government reservation upon Pennsylvania avenue, between Seventh and Ninth streets, immediately in front of the present market house. I know that it comes with the recommendation of the majority of the Committee on Appropriations. Personally I think it would be very unfortunate to have the building erected on that square, particularly for such a purpose.

It is a central point in the matter of travel, and to put the building there, with the police court and all the class of people who gather daily immediately in front of it, where everybody in the city goes to market—all the ladies, our wives, and sisters—I think would be most unfortunate, outside of the fact that it would be the destruction of the park. I simply want to enter my protest against it here. I trust the Senate will agree with me that while this building is necessary it ought not to be placed at that point.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. HOAR. Let the amendment go over until the end of the bill is reached.

Mr. CALL. I wish to indorse the observations of the Senator from Maryland. I think it would be very unfortunate to destroy the beauty of the city, and its healthfulness by filling up the parks with edifices of any kind. I hope the amendment will not become a law.

Mr. ALLISON. As suggested by the Senator from Massachusetts, I hope the amendment will be passed over without a vote upon it at this time. The Senate is not very full at present, and I do not expect to get a final vote upon the bill to-day. I think it due to Senators who are absent that they should have some opportunity to vote on amendments to-morrow.

I will say to the Senator from Maryland, and other Senators, that this space has been set apart for a good many years in the minds of the people of the District of Columbia as the proper place for the erection of such a public building. If it is not erected there it must be erected on ground to be purchased by the Commissioners of the District of Columbia.

Mr. HARRIS. Does the space referred to begin on Seventh street, running west and north of Pennsylvania avenue?

Mr. GORMAN. South of the avenue.

Mr. ALLISON. South of Pennsylvania avenue.

Mr. RANSOM. Between Pennsylvania avenue and the Washington Market building.

Mr. ALLISON. I will state that this space was originally leased to the market company a number of years ago for a term of ninety-nine years. The term of the lease was changed and the rent reduced, with a view to the erection of a public building at this spot.

I have no wish about the matter myself. Of course, we can not provide for plans and specifications for a public building without knowing where the building is to be erected and the character of the ground upon which it is to be placed.

Mr. GORMAN. I should like to ask the chairman of the committee if the amendment would not absolutely fix the building at that point by the provision as to plans and specifications?

Mr. ALLISON. If we are to have plans and specifications for a municipal or District building it is necessary that we shall know where it is to be erected. As I said, I have no wish about the matter; I am entirely willing, so far as I am concerned, that the whole provision shall be stricken out and that the question shall be postponed until another time. Certainly I do not wish to press it against the opinion of many Senators. I ask that the amendment may be passed over for the time being.

Mr. HOAR. If the Senator consents to have it stricken out I shall not ask that it be passed over.

Mr. ALLISON. I do not want to have it stricken out at this moment. Let it be passed over.

The VICE-PRESIDENT. The amendment will be passed over, and the reading of the bill will be proceeded with.

Mr. PASCO. Before we pass from the subject I should like to ask the Senator from Maryland, through the Chair, whether he has any other location to suggest in place of this in case the objection should seem good?

Mr. GORMAN. No, I have no other location in the city in mind. I have not myself been charged with the duty of looking up one. But I protest against the use of this particular lot for such a purpose. I should be very loath indeed to use one of the public squares on the avenue for a building for any purpose whatever; but the point I make is that we should not locate the municipal building immediately on Pennsylvania avenue at the most public place on the avenue between here and the President's house, in front of the main market of the town, where all the ladies go, for it is the custom of the ladies of this city, the wives of members of Congress and Senators and all the residents, to go to market.

I say to add to the straggling crowd that already collects around the market all the criminals of this city, and bring them there and have them on exhibition, and have our wives and daughters pass by them and see them as they are manacled and brought in and out, would be a great outrage. I am opposed to it, and I trust the Senate will never permit such a structure and such a nuisance to be erected at that place.

Mr. PASCO. This matter has been discussed occasionally before our Committee on Public Buildings and Grounds, and this seemed to be a suitable location. I admit that the arguments advanced by the Senator from Maryland are good, but I wish he had carried his investigation further so as to suggest a more suitable site where the objections he has mentioned would not exist. There is certainly great force in what he says.

The VICE-PRESIDENT. The amendment will be passed over informally and the reading of the bill will proceed.

The reading of the bill was resumed.

The next amendment was, on page 36, after line 10, to insert:

ROCK CREEK PARK.

For care of and preparing plans for the improvement of Rock Creek Park, \$10,000.

The amendment was agreed to.

The next amendment was, on page 37, line 21, after the word "almshouse," to insert "and repairs;" so as to read: For renewal of plumbing in the almshouse and repairs, \$3,000.

The amendment was agreed to.

The next amendment was, in the appropriations "for Reform School," page 39, line 4, after the word "apparatus," to strike out "and so forth;" so as to read:

For one additional brick family building, including heating apparatus, \$20,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 16, to insert: For the Industrial Home School: For reconstructing the garret of the old central building so as to make it into a story of the regular height, \$4,000.

The amendment was agreed to.

The next amendment was, on page 41, line 11, after the word "for," to strike out "and management of;" so as to read: And hereafter the expenditures for the Freedmen's Hospital and Asylum shall be under the supervision and control of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 42, after line 3, to insert: For the Church Orphanage Association of St. John's Parish, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 5, to insert: For the German Orphan Asylum, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 7, to insert: For the National Association for the Relief of Destitute Colored Women and Children, maintenance, including its care of colored foundlings, \$9,100.

The amendment was agreed to.

The next amendment was, on page 42, after line 10, to insert: For St. Ann's Infant Asylum, maintenance, \$4,550.

The amendment was agreed to.

The next amendment was, on page 42, after line 12, to insert: For St. Joseph's Asylum, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 14, to insert: For the Woman's Union Christian Association, maintenance, \$175.

The amendment was agreed to.

The next amendment was, on page 42, after line 16, to insert: For the Association for Works of Mercy, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 18, to insert: For House of the Good Shepherd, maintenance, \$2,100.

The amendment was agreed to.

The next amendment was, on page 42, after line 20, to insert: For the Industrial Home School, maintenance, \$9,100.

The amendment was agreed to.

The next amendment was, on page 42, after line 22, to insert: For St. Rose's Industrial School, maintenance, \$3,500.

The amendment was agreed to.

The next amendment was, on page 43, line 4, before the word "thousand," to strike out "six" and insert "five;" in line 9, before the word "dollars," to strike out "forty-seven thousand" and insert "nineteen thousand eight hundred and seventy-five;" and in line 11, before the word "dollars," to strike out "fifty-three thousand" and insert "twenty-four thousand eight hundred and seventy-five;" so as to read:

For the Board of Children's Guardians, created under the act approved July 26, 1892, namely: For administrative expenses, including salaries of agents, expenses in placing and visiting children, and all office and sundry expenses, \$5,000, to be immediately available; for care of feeble-minded children, for the care of children under three years of age, white and colored, for the board and care of all children over three years of age, and for the temporary care of children pending investigation or while being transferred from place to place, \$19,875; in all, \$24,875: *Provided*, That the authority for placing feeble-minded children of the District of Columbia, heretofore given to the Secretary of the Interior, is hereby transferred to the Board of Children's Guardians.

The amendment was agreed to.

The next amendment was, on page 43, line 16, after the words "that the," to strike out "institution" and insert "institutions."

The amendment was agreed to.

The next amendment was, on page 44, line 1, after the word "appropriation," to insert "and the inmates of each of such institutions, on the 30th day of June, 1893."

Mr. ALLISON. That amendment should be disagreed to.

The amendment was rejected.

The next amendment was, on page 44, line 3, after the word "remitted," to insert "except as herein specifically appropriated for;" so as to make the additional proviso read:

And provided further, That the institution for children, including industrial and reformatory, namely, the Church Orphanage of St. John's Parish, the German Orphan Asylum, the National Association for the Relief of Des-

titute Colored Women and Children, including its care of colored foundlings, the St. Ann's Infant Asylum, the St. Joseph's Asylum, the Women's Union Christian Association, the Association for Works of Mercy, the House of the Good Shepherd, the Industrial Home School, and St. Rose's Industrial School, heretofore receiving aid by specific appropriation, are hereby remitted, except as herein specifically appropriated for, to the appropriation herein made and to the said act of July 26, 1892, "to provide for the care of dependent children in the District of Columbia, and to create a Board of Children's Guardians" for all rights and benefits which they may have under the provisions of the said act.

The amendment was agreed to.

The next amendment was, on page 44, after line 11, to insert:

For the National Association for the Relief of Destitute Colored Women and Children, as follows: For new heating apparatus, \$3,000; for the introduction and distribution of Potomac water, \$2,000; in all, \$5,000. And all sums of money herein appropriated, or which may hereafter be appropriated and expended in aid of the purchase of real estate for charitable or reformatory institutions in the District of Columbia, or for buildings or for permanent improvements to buildings thereon, shall (subject to any trust deed, mortgage, or other security or incumbrance existing on such property at the time of its purchase or created at the time of its purchase) be a lien upon such property, and in case of the dissolution of any such corporation owning such property, or in case of the disposal of such property by such corporation, entitle the United States to reimbursement in proportion to any other contributions or funds used for such purposes; and the acceptance by any such corporation of any sum of money appropriated for the foregoing purposes shall be deemed an acceptance of and agreement to this provision.

The amendment was agreed to.

The next amendment was, on page 45, after line 6, to insert:

Contagious diseases hospital: For the erection, by the Commissioners of the District of Columbia, on land belonging to the United States or the District of Columbia, to be selected by said Commissioners, of a hospital for the treatment of persons suffering from contagious and infectious diseases, \$5,000, and in case a suitable site can not be secured upon United States or District lands, an additional sum, for the purchase of a site for said hospital, of not exceeding \$12,000.

The amendment was agreed to.

The next amendment was, on page 47, line 9, before the word "hundred," to strike out "six" and insert "eight;" in line 11, after the word "dollars," to strike out "one clerk, one thousand" and insert "two clerks, at \$1,000 each;" in line 22, before the word "dollars," to strike out "seven hundred and fifty" and insert "eight hundred and sixty-four;" on page 48, line 8, before the word "dollars," strike out "one thousand five hundred" and insert "two thousand;" and in line 8, before the word "dollars," to strike out "forty-four thousand six hundred and thirty-six" and insert "forty-six thousand five hundred and sixty-four;" so as to read:

For revenue and inspection branch: For one chief clerk, \$1,800; two clerks, at \$1,400 each; two clerks, at \$1,000 each; one chief inspector, \$930; six inspectors, at \$900 each; one messenger, \$600. For distribution branch: For one superintendent, \$1,800; one draftsman, \$1,500; one foreman, \$1,200; two clerks, at \$1,000 each; one timekeeper, \$800; one assistant foreman, \$900; one tapper and machinist, \$900; one assistant tapper, \$600; six steam engineers, at \$1,100 each; extra steam engineer's services for such times as may be actually necessary on account of sickness, leaves of absence, and Sundays, not to exceed \$540; one blacksmith, \$750; two plumbers, at \$750 each; two assistant machinists, at \$854 each; one property keeper, \$600; six firemen, at \$730 each; two flushers, at \$640 each; one driver, \$180; two watchmen, at \$480 each; one hostler, \$480; one caulkier, \$730; and three laborers, at \$500 each; and for not to exceed at any time two inspectors on the manufacture of cast-iron pipe, at a maximum rate of \$4.50 per day for such periods as their services may be actually necessary, \$2,000; in all, \$46,564.

The amendment was agreed to.

The next amendment was, on page 48, line 13, before the word "dollars," to strike out "two thousand five hundred" and insert "three thousand;" so as to read:

For contingent expenses, including books, blanks, stationery, forage, advertising, printing, and other necessary items and services, \$3,000.

The amendment was agreed to.

The next amendment was, on page 49, line 23, before the word "roads," to insert "streets, alleys, and;" so as to make the clause read:

For continuing the extension of the high-service system of water distribution, to include all necessary land, machinery, buildings, standpipes, mains, and appurtenances, so much as may be available in the water fund, during the fiscal year 1894, after providing for the expenditures hereinbefore authorized, is hereby appropriated; and the Commissioners of the District of Columbia are hereby authorized and empowered to acquire by purchase, condemnation, or otherwise, the land, including necessary portions of public streets, alleys, and roads, required for the said extension, and the right of way, where necessary, for the construction, maintenance, and repair of the requisite water mains and their appurtenances for said extension.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. McMILLAN. I submit an amendment and ask that it may be printed.

The VICE-PRESIDENT. The amendment will be printed.

Mr. ALLISON. As the Senator from Michigan offers rather an important amendment and asks that it be printed—

The VICE-PRESIDENT. Shall the amendment be read?

Mr. ALLISON. Does the Senator from Michigan desire to have the amendment read?

Mr. McMILLAN. No; it may be printed.

Mr. HOAR. Let it go into the RECORD.

Mr. McMILLAN. It can go into the RECORD.

The amendment intended to be proposed by Mr. McMILLAN is to add the following additional section to the bill:

SEC. 3. That from and after the passage of this act it shall not be lawful for any person or persons in the District of Columbia to engage in the trades, business, and professions specified in the act of the late legislative assembly of the District of Columbia, entitled "An act imposing a license on trades, business, and professions practiced or carried on in the District of Columbia," approved August 23, 1871, and the amendment thereto approved June 20, 1872, except such parts thereof as have been repealed, without first having obtained a license therefor in accordance with the provisions of said act of assembly, and said amendment; and any person engaging in any of said trades or in the business and professions specified in said act and the said amendment thereto within the District of Columbia, without first having obtained a license therefor in accordance with the provisions of said act and the said amendment thereto, or who shall engage in any business in any part of the said District where by existing law a license is prohibited, shall, on conviction thereof in the police court of the District of Columbia, be fined not less than \$10 nor more than \$100, and a like fine or penalty for each subsequent offense, and in default of payment of such fine he or she shall be imprisoned in the common jail of said District not to exceed twelve months: *Provided*, That whenever the approval of the Commissioners is required to any application for a license under existing law or under regulation adopted by said Commissioners according to law, no person shall be deemed to have such license until he or she shall have obtained such approval.

Mr. ALLISON. I will state to the Senate that the amendment offered by the Senator from Michigan is an amendment not in order, I think, but I shall not make that point at present, and perhaps not at all.

I desire to return to page 39, line 9, for a formal amendment. In line 9, after the word "Government," I move to insert "Hospital;" so as to read:

In the Government Hospital for the Insane in said District.

The amendment was agreed to.

Mr. ALLISON. This concludes the amendments proposed by the Committee on Appropriations, with the exception, perhaps, of one or two amendments that I may desire to offer to-morrow to the text of the bill, though they are not of very great importance. I do not desire at this time to further continue the consideration of the bill, but shall ask the Senate to-morrow morning to take it up.

Mr. CALL. I submit two amendments intended to be proposed by me to the pending bill. I shall offer them to-morrow morning. I move that the amendments be referred to the Committee on the District of Columbia and that they be printed.

The motion was agreed to.

CHEROKEE INDIAN LANDS.

Mr. VEST. I ask the Senate to take from the table Senate bill 3582 for consideration.

Mr. PLATT. Mr. President—

The VICE-PRESIDENT. The Senator from Missouri has been recognized.

Mr. PLATT. He yields to me for the purpose of making a motion. I move to take up the bill (H. R. 9190) to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes. I do this for the purpose of making the bill the unfinished business. I do not expect to go on with it to-day.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Connecticut.

The motion was agreed to.

Mr. PLATT. I now yield to the Senator from Missouri, the Cherokee Outlet bill remaining as the unfinished business.

ROBERT MAGEE.

Mr. VEST. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3582) for the relief of Robert Magee. I wish to state my reason for making the request. I expect to be called away from the city, and I feel considerable personal interest in the bill. It is an act of humanity to a poor creature, and unless he soon receives what is due him it will do him no good whatever. The late Senator Plumb introduced a similar bill, and after his death I took charge of it. There is a unanimous report from the Select Committee on Indian Depredations, which gives all the facts. I do not think the bill will give rise to any debate.

The VICE-PRESIDENT. The Senator from Missouri asks unanimous consent to proceed to the consideration of the bill indicated by him. If there be no objection it is before the Senate as in Committee of the Whole, and will be read.

The Secretary proceeded to read the bill.

Mr. PETTIGREW. I wish to know what committee reported the bill.

Mr. VEST. The Select Committee on Indian Depredations.

Mr. PETTIGREW. I shall have to object to its consideration until I can look into the matter. I ask that the bill go over without prejudice until I can investigate it. I see it proposes to pay money out of the funds of the Indians of my State. The matter will have to take its course as a judgment before the

Court of Claims or else go to the Committee on Indian Affairs, it seems to me. At least I want to look into it.

Mr. KYLE. I sincerely hope there will be no objection to the bill which has been brought up at the request of the Senator from Missouri. It had a very thorough discussion before the Select Committee on Indian Depredations, to which it was referred, and an amendment has been placed on the bill to the effect, I believe, that the Secretary of the Interior shall first consult with the leaders of the Sioux Nation and after having consulted with them and given them a hearing, if in his judgment this amount should be paid from the interest due them then it shall be done, but not until then.

Mr. PETTIGREW. I shall insist on my objection. The bill can go over without prejudice. I wish to have an opportunity to look into it. After I have had an opportunity to look at it I may withdraw my objection.

The VICE-PRESIDENT. Objection being made, the bill goes over.

CONSIDERATION OF HOUSE BILLS.

Mr. COCKRELL. I suggest, if the Senator from Connecticut does not wish to proceed with the Cherokee Outlet bill, that we devote ten or fifteen minutes to the consideration of unobjection House bills on the Calendar.

Mr. PLATT. I have no objection to that course. I simply desire to keep the Cherokee Outlet bill before the Senate as the unfinished business.

Mr. COCKRELL. I ask that the Senate proceed to the consideration of unobjection House bills upon the Calendar reported favorably.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the first House bill on the Calendar favorably reported will be announced.

ARKANSAS RIVER BRIDGE AT LITTLE ROCK, ARK.

Mr. ALLISON. Before we proceed with the order just made I ask unanimous consent for the consideration of a bridge bill. I objected this morning on account of some misunderstanding to a bill of local importance to Arkansas. I did not know that unanimous consent had been given for the consideration of the bill. I think it will take but a moment to put the bill on its passage. The Senator from Missouri [Mr. VEST] is entirely familiar with it.

Mr. VEST. It is a bill simply extending the limitation as to the construction of a railroad bridge at Little Rock.

Mr. COCKRELL. What is the order of business?

Mr. VEST. The bill was reported this morning, and is not on the Calendar.

The VICE-PRESIDENT. The bill was reported to-day from the Committee on Commerce. Is there objection to its present consideration?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3798) to authorize the building of a railroad bridge at Little Rock, Ark., which had been reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That section 7 of an act entitled "An act to authorize the building of a railroad bridge at Little Rock, Ark.," approved March 2, 1891, be amended so as to read as follows:

This act shall be null and void, if construction on said bridge shall not be commenced on or before January 1, 1894, and completed on or before January 1, 1896; and all the benefits of this act shall inure and belong to the Little Rock Bridge and Terminal Railway Company, a corporation existing under the laws of Arkansas, its successors or assigns, provided, the navigation of the Arkansas River shall not be obstructed by false work during the construction of said bridge.

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.

The title was amended so as to read: "A bill to amend an act entitled 'An act to authorize the building of a railroad bridge at Little Rock, Ark.'"

SETTLEMENT RIGHTS ON PUBLIC LANDS.

The VICE-PRESIDENT. The first House bill on the Calendar will be stated.

The bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. PETTIGREW. I am instructed by the Committee on Public Lands to offer as an amendment, to be added as additional sections to the pending bill, Senate bill 3393, entitled "A bill to amend an act approved March 3, 1891, entitled 'An act to repeal timber-culture laws, and for other purposes.'"

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK proceeded to read the amendment, but before concluding was interrupted by—

Mr. PASCO. Before the reading proceeds further, I desire to say that if the amendment is to be pressed I hope the subject will go over until to-morrow without prejudice. I do not recollect that the Committee on Public Lands consented to the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW] at any committee meeting. It is certainly not so reported by the Senator who reported the bill.

Mr. PETTIGREW. I will say that the committee did unanimously agree to this amendment and authorized me to offer it as an amendment to the pending bill.

Mr. PASCO. My recollection is that there was objection made by some Senators whom I do not now see in the Senate.

Mr. PETTIGREW. There were no objections.

Mr. PASCO. It will not prejudice the matter to call it up under the same understanding upon which we have acted for several days.

The VICE-PRESIDENT. The bill will go over without objection, as the Chair understands.

Mr. PETTIGREW. I should like to have the amendment read through and printed.

Mr. PASCO. I shall not object to that.

Mr. COCKRELL. Let the amendment be printed. I do not see why we should consume time by reading it through now.

Mr. PETTIGREW. Very well, let the amendment be printed.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Dakota will be printed.

Mr. CAREY. I have an amendment which I desire to offer to the bill, to be printed together with that of the Senator from South Dakota.

The VICE-PRESIDENT. That order will be made in the absence of objection.

ADMISSION OF NEW MEXICO.

The bill (H. R. 7136) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, was announced as next in order on the Calendar.

Mr. COCKRELL. Let that be passed over.

The VICE-PRESIDENT. The bill will be passed over.

PROTECTION OF RAILROAD EMPLOYÉS, ETC.

The bill (H. R. 9350) to promote the safety of employés and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes, was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill be passed over without prejudice, retaining its place on the Calendar.

The VICE-PRESIDENT. It will be so ordered.

UTAH COLUMBIAN EXPOSITION EXHIBIT.

The bill (H. R. 7827) to enable the people of the Territory of Utah to provide for the collection, arrangement, and display of the products of said Territory at the World's Columbian Exposition of 1893 was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill go over. I did not hear the title fully. Does it provide for the admission of a Territory into the Union as a State?

Mr. PLATT. No, it does not. The bill is simply to enable the people of the Territory of Utah to provide for a display at the World's Columbian Exposition.

Mr. COCKRELL. I had not observed that.

Mr. PLATT. I do not think it is necessary, however, to consider the bill now. I understand a sufficient amount has been subscribed from private sources in the Territory to enable the exhibition to be made.

The VICE-PRESIDENT. The bill will be passed over.

STOCKBRIDGE AND MUNSEE INDIANS.

The bill (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians, in the State of Wisconsin, was announced as next in order on the Calendar.

Mr. SAWYER. Let that bill go over.

The VICE-PRESIDENT. The bill will be passed over.

DAVID RYAN.

The bill (H. R. 3804) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States was announced as next in order on the Calendar.

Mr. FRYE. That is objected to.

The VICE-PRESIDENT. The bill will be passed over.

FOG SIGNAL AT TIBBETS POINT, LAKE ONTARIO, NEW YORK.

The bill (H. R. 8956) establishing a fog signal at Tibbets Point, Lake Ontario, New York, was considered as in Committee of the Whole. It proposes to establish a fog signal at Tibbets Point

Light, foot Lake Ontario, New York, at a cost not exceeding \$4,300.

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

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

The bill (H. R. 9758) to amend the charter of the Eckington and Soldiers' Home Railway Company of the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 7, after the word "act," to add:

And that the act to amend the charter of the Eckington and Soldiers' Home Railroad Company, approved July 5, 1892, be amended in the first proviso by striking out the word "twelfth" therein and inserting in place thereof the word "thirteenth," so that the proviso will read, "Provided, That until C and D streets shall have been paved and provided with sewers to Fifteenth street the company shall not be required to construct its road beyond Thirteenth street, and that said company shall have authority to make connection with D street from C street through and along Thirteenth street northeast."

So as to make the bill read:

Be it enacted, etc., That the act to amend the charter of the Eckington and Soldiers' Home Railway Company, approved April 30, A. D. 1890, is hereby amended by substituting the word "five" for the word "three" in the last line of said act. And that the act to amend the charter of the Eckington and Soldiers' Home Railroad Company, approved July 5, 1892, be amended in the first proviso by striking out the word "twelfth" therein and inserting in place thereof the word "thirteenth," so that the proviso will read, "Provided, That until C and D streets shall have been paved and provided with sewers to Fifteenth street the company shall not be required to construct its road beyond Thirteenth street, and that said company shall have authority to make connection with D street from C street through and along Thirteenth street northeast."

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.

MOBILE RIVER BRIDGE NEAR MOUNT VERNON LANDING, ALABAMA.

The bill (H. R. 8602) to authorize the construction of a bridge across the Mobile River by the Chicago, Mobile and Gulf Ports Railroad Company 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 VETERANS FROM COMPETITIVE EXAMINATIONS.

Mr. TURPIE. I move to take up at this time Order of Business 930, being the bill (S. 3024) to exempt veterans from competitive examinations in the classified service of the United States.

Mr. COCKRELL. I hope that will not be done. We are acting by unanimous consent on unobjection House bills, and I think we should be allowed to spend a little time on them. I do not think we shall do any other business unless we do.

Mr. TURPIE. I was requested by members of the Grand Army of the Republic and the Loyal Legion to move to take up the bill.

Mr. COCKRELL. That bill can not pass this evening. I shall object to it and not allow it to pass, and I will take all the responsibility for that course.

Mr. TURPIE. Of course if the Senator objects the bill can not be considered at this time.

The VICE-PRESIDENT. The next bill on the Calendar will be stated.

GREAT NORTHWESTERN RAILWAY BRIDGE.

The bill (H. R. 5752) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama 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.

THOMAS ENLOW.

The bill (H. R. 5012) to increase the pension of Thomas Enlow, was considered as in Committee of the Whole. It proposes to increase to \$20 per month the pension of Thomas Enlow, late of Company E, Fourth Indiana Volunteers, in the war with Mexico.

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

WARRIOR RIVER BRIDGE IN TUSCALOOSA COUNTY, ALA.

The bill (H. R. 6798) to authorize the construction of a bridge across the Warrior River by the Montgomery, Tuscaloosa and Memphis Railway Company was considered as in Committee of the Whole; which had been reported by the Committee on Commerce, with amendments.

The first amendment was, in section 1, line 4, after the word "corporation" to insert "created and," so as to read:

That the Montgomery, Tuscaloosa and Memphis Railway Company, a corporation created and existing under the laws of Alabama, etc.

The amendment was agreed to.

The next amendment was, in section 2, line 2, after the word "less," to strike out "that" and insert "than;" so as to read:

That said bridge shall be provided with one or more draw openings, each having not less than 100 feet clear channel way at low water, etc.

The amendment was agreed to.

The next amendment was, in section 7, line 9, after the words "banks of," to insert "said river;" so as to read:

That the bridge authorized to be constructed by this act shall be located and built under and subject to such regulations for the security of navigation on said river as the Secretary of War shall prescribe; and to secure that object said corporation shall submit for his examination a design and drawings of the bridge, piers, approaches, and accessory works, and a map of the location, giving, for a space of at least 3 miles above and 1 mile below the proposed location, the topography of the banks of said river and the shore lines at high and low water.

The amendment was agreed to.

The next amendment was to strike out section 9, as follows:

SEC. 9. That whenever the Secretary of War has good reason to believe that any of the provisions of sections 4, 6, and 8 of this act have not been complied with by the company or persons owning, controlling, or operating the bridge authorized under its provisions, it shall be the duty of the Secretary of War, on satisfactory proof thereof, to require the said company or persons to comply with the provisions of said sections, and on failure of said persons or company to comply with said requirements within a reasonable time the Secretary of War shall proceed to cause the necessary work, in the form of additions, alterations, repairs, or removal of obstructions, to be made at the expense of the United States, and shall refer the matter, without delay, to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in the circuit court of the United States in and for the district in which any portion of said obstruction or bridge may be for the recovery of such expense, and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

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.

BRIDGE ACROSS THE ST. LAWRENCE RIVER.

The bill (H. R. 9930) for the construction and maintenance of a bridge across the St. Lawrence River was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in section 2, line 8, after the word "abutments," to insert "or piers;" so as to read:

That the bridge herein named shall be so built that the lowest part thereof at the spans hereinafter referred to shall not be less than 150 feet above high water and located under and subject to such regulations for security of navigation as the Secretary of War of the United States shall prescribe; with span over the Canadian channel of 500 feet in length unless the natural channel will admit of a shorter one; but in no case shall abutments or piers be erected to interfere with the navigation of said channel, and a span over the channel on the American side of not less than 500 feet, etc.

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.

MRS. ANN MERCER SLAUGHTER.

The bill (H. R. 9433) granting a pension to Mrs. Ann Mercer Slaughter was considered as in Committee of the Whole. It proposes to place the name of Mrs. Ann Mercer Slaughter, a daughter of Capt. Philip Slaughter, an officer in the Revolutionary war, upon the pension roll at \$30 per month, she being blind, helpless, and dependent, and over 82 years of age.

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

Mr. COCKRELL. I simply wish to enter my vote "no" against pensioning the daughter of a Revolutionary soldier.

Mr. ALLISON. In view of the Senator's objection, I think I shall make a motion to adjourn.

Mr. VEST. I hope my colleague will not object to the bill.

Mr. COCKRELL. I thought the bill had been passed. I do not make any discrimination against this particular case, for I have objected in every case to the passage of such bills.

Mr. VEST. I do not know anything about the case, but if the facts are as stated I should like to vote for the bill. I think it would be a shame to this country if a lady 82 years old, a blind, helpless, and dependent daughter of a man who fought in the war of independence should become an object of charity. I do not know who reported the bill and I never heard of it, but if the facts are as stated I think it should be passed.

Mr. COCKRELL. I do not object to the passage of the bill, but I simply wish to put myself on record as opposed to that species of legislation in any shape, manner, or form.

Mr. CHANDLER. I did not get the idea of the Senator. Do I understand that the consideration of the bill is objected to?

Mr. COCKRELL. I thought the bill had passed. I wanted to make my remarks on that bill as I have done in all similar cases after the bill had passed.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on the passage of the bill.

The bill was passed.

Mr. COCKRELL. I wish my remarks to be considered as having been made after the passage of the bill. What I have said as to this particular case I have said in every similar case which has been passed of which I had any knowledge.

A. J. COPENHAVER.

The bill (H. R. 1795) to increase the pension of A. J. Copenhafer, late a soldier in the Mexican war, was considered as in Committee of the Whole.

The Committee on Pensions reported the bill with an amendment, in line 7, after the words "rate of," to strike out "thirty" and insert "twenty;" 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 of the United States the name of A. J. Copenhafer, of Winchester, Frederick County, Va., late a private in the First Regiment of Virginia in the Mexican war, at the rate of \$20 per month, according to the rules and regulations governing pensions, which shall be in lieu of the pension which the said A. J. Copenhafer is now drawing.

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.

CALIFORNIA DÉBRIS COMMISSION.

The bill (H. R. 9286) to create the California débris commission and regulate hydraulic mining in the State of California was announced as next in order on the Calendar.

Mr. COCKRELL. We can not pass that bill this evening. Let it be passed over without prejudice.

The PRESIDING OFFICER. The bill will be passed over.

AGREEMENT WITH KICKAPOO INDIANS IN OKLAHOMA.

The bill (H. R. 7633) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory and to make appropriations for carrying the same into effect was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill be passed over. It can not be passed without the Senator in charge of it being present.

The PRESIDING OFFICER. The bill will be passed over.

REFUND OF INTERNAL-REVENUE TAXES.

The bill (H. R. 1036) for the benefit of Logan, Simpson, Hardin, and Hart Counties, and of the city of Louisville, Ky., and of Sumner and Davidson Counties, Tenn., was announced as next in order on the Calendar.

Mr. FRYE. I think I shall object to that bill.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

Mr. PASCO. Has objection been made to that bill?

The PRESIDING OFFICER. The Senator from Maine [Mr. FRYE] was understood to object.

Mr. PASCO. I will state that the bill was very carefully considered in committee, and the Senators from Kentucky are very much interested in it.

Mr. FRYE. Is the bill a long one, and is it likely to occupy much time?

Mr. PASCO. My recollection is that it is only a short bill.

Mr. FRYE. I withdraw my objection.

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, to strike out all after the enacting clause and insert:

That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, be, and is hereby, authorized and required to audit and adjust the claims of the sinking-fund commissioners of the State of Kentucky, of Logan and Simpson Counties, and of Louisville, Ky., and of Sumner and Davidson Counties, Tenn., for internal-revenue taxes collected on railroad and other dividends and on interest of railroad bonds due and payable to said sinking-fund commissioners, and to said State, city, and counties; and for this purpose, any statute of limitations to the contrary notwithstanding, sections 989, 3220, 3226, 3227, and 3228 of the United States Revised Statutes are hereby made applicable and available with the same force and effect as if protest and demand for repayment had been made within the time prescribed by said sections; and the amounts due, when ascertained as aforesaid, shall be paid out of the permanent annual appropriation provided for similar claims allowed within the present fiscal year.

Mr. CHANDLER. Is there a report accompanying that bill?

The PRESIDING OFFICER. There is a report. Does the Senator desire to have it read?

Mr. CHANDLER. I should like to know the amount involved in the bill. If it is a small amount I shall not object, but the Senator from Missouri [Mr. COCKRELL] has uniformly objected to dealing with bills of any large amount when there may not be a quorum of the Senate present. I certainly shall object to the bill unless it can be made to appear what amount is involved in it.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report submitted by Mr. DANIEL, January 13, 1893:

The Committee on Claims, to whom was referred the bill (H. R. 1036) for the benefit of Logan and Simpson Counties, Ky., and of Sumner and Davidson Counties, Tenn., have had the same under consideration, and beg leave to respectfully report:

Two counties in Tennessee (Sumner and Davidson) and four in Kentucky (Logan, Simpson, Hardin and Hart), together with the State of Kentucky and the city of Louisville, subscribed money to aid in the construction of the Louisville and Nashville Railroad, receiving therefor the stock and bonds of said company, upon which dividends and interest accrued from time to time.

By the internal revenue act of 1894, a tax of 5 per cent was levied upon said dividends and interest.

The illegality of this tax upon the dividends and interest due counties, States, and municipalities has been declared by the Supreme Court in the case of *The United States vs. The Railroad Company* (17 Wall., p. 3221), *Stockdale vs. Insurance Company* (20 Wall., 330), and in several other cases. The opinions of the Attorney-General are to the same effect. See 13 Op., 67 (Gen. Hoar); 12 Op., 282, Gen. Stanbury; also, 12 Op., 176 and 276.

Under the Revised Statutes (section 3220, *et seq.*) the Commissioner of Internal Revenue "is authorized, on appeal to him made, to refund and pay back all taxes erroneously or illegally collected;" but by an amendment (now section 3228) such appeal was required to be presented within one year.

The only question, therefore, before your committee is, whether the municipalities named in this bill should be relieved from the bar of the statute of limitations.

Upon this point your committee is of the opinion that the Government ought not to interpose such a plea, for several reasons:

1. The time within which the appeal to refund herein could have been made was only one year.

2. At the time the greater portion of these taxes were collected no limitation was prescribed.

3. The tax was not collected directly of these municipalities, but indirectly through the railroad company, which, as the compulsory agent of the Government, was required to withhold said tax from the parties to whom it was due.

4. The manner in which the railroad collected the tax, too, prevented inquiry or complaint at the time, as it paid over to these municipalities the usual 3 per cent dividend, whereas it declared in addition to the 3 per cent an amount equal to the Government tax, and this last amount, if illegal, should be refunded.

(5) The decision of the Supreme Court as to the illegality of the tax was not promulgated until two months before the statute of limitation barred their appeal.

(6) The taxes on dividends, on surplus, on interest of bonds, and on gross receipts were not paid by the railroad company separately and at the time when due, but collectively, in aggregate amounts and at irregular periods, so that if these parties had been put upon inquiry and had had access to the books of the railroad company and of the Government, it would have been very difficult, if not impossible, at that time, the different items being then consolidated, to discover the nature and extent of this exaction.

(7) Congress has acted favorably in similar cases (claim of Hardin County, Fifteenth Congress; of Hart County, Fifty-second Congress; of Louisville, Fifty-first Congress). The Department, where no bar of limitation prevented, has done likewise (State of Massachusetts, city of Baltimore, etc).

The counties of Logan and Simpson and the State of Kentucky have presented no claim. The city of Louisville, under a former act, has been paid the tax on dividends and has now a claim only for interest on bonds. The counties of Sumner and Davidson made their appeal within the time required, but by some error or mistake of the Department they were allowed only their tax on money dividends. Their claim now is for the tax on stock dividends.

The counties of Hart and Hardin, as appears by information from the Commissioner of Internal Revenue, have been paid in full and should not therefore be in the present bill. The sections of the Revised Statutes mentioned in the bill are those applicable in similar cases, and which except for the one-year bar of limitations would be now applicable to these appeals.

For the reasons stated your committee is of opinion that the relief prayed for should be granted, after amending bill H. R. 1036 by striking out all after the enacting clause and inserting the following:

"That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, be, and is hereby, authorized and required to audit and adjust the claims of the sinking-fund commissioners of the State of Kentucky, of Logan and Simpson Counties, and of Louisville, Ky., and of Sumner and Davidson Counties, Tenn., for internal-revenue taxes collected on railroad and other dividends and on interest of railroad bonds due and payable to said sinking-fund commissioners, and to said State, city, and counties; and for this purpose, any statute of limitations to the contrary notwithstanding, sections 989, 3220, 3226, 3227, and 3228 of the United States Revised Statutes are hereby made applicable and available with the same force and effect as if protest and demand for repayment had been made within the time prescribed by said sections; and the amounts due, when ascertained as aforesaid, shall be paid out of the permanent annual appropriation provided for similar claims allowed within the present fiscal year."

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Claims.

Mr. CHANDLER. I shall object to the further consideration of the bill unless some Senator can state the amount involved in it.

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

Mr. PASCO. I ask that the bill may go over without prejudice.

The PRESIDING OFFICER. The bill goes over without prejudice, if there be no objection. The Chair hears none.

Mr. ALLISON. I move that the Senate adjourn.

Mr. SAWYER. I ask the Senator from Iowa to withdraw the motion to adjourn, in order that I may submit a motion for an executive session.

Mr. ALLISON. I withdraw the motion for that purpose.

Mr. SAWYER. 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 5 minutes spent in executive session the doors were reopened and (at 5 o'clock and 57 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 2, 1893, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate February 1, 1893.

PROMOTIONS IN THE ARMY.

Pay Department.

Lieut. Col. Thaddeus H. Stanton, deputy paymaster-general, to be assistant paymaster-general with the rank of colonel, January 22, 1893, vice Rucker, deceased.

Maj. George W. Candee, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, January 22, 1893, vice Stanton, promoted.

Cavalry arm.

Second Lieut. Joseph C. Byron, Eighth Cavalry, to be first lieutenant, January 18, 1893, vice Rucker, Second Cavalry, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 1, 1893.

POSTMASTERS.

John B. Tobias, to be postmaster at Everett, in the county of Bedford and State of Pennsylvania.

Marvin R. Denniston, to be postmaster at Washingtonville, in the county of Orange and State of New York.

Orator H. Lacroft, to be postmaster at Clark, in the county of Clark and State of South Dakota.

Alexander D. Marriott, to be postmaster at Pierre, in the county of Hughes and State of South Dakota.

William V. Molloy, to be postmaster at New Rochelle, in the county of Westchester and State of New York.

Thaddeus O. Jones, to be postmaster at Auburn Park, in the county of Cook and State of Illinois.

Frank M. Rahm, to be postmaster at Woodland, in the county of Yolo and State of California.

Thomas Walkey, to be postmaster at Jermyn, in the county of Lackawanna and State of Pennsylvania.

Hawley E. Webster, to be postmaster at Brockport, in the county of Monroe and State of New York.

Burt Graves, to be postmaster at Middleport, in the county of Niagara and State of New York.

Edgar E. Burkley, to be postmaster at Tupper Lake, in the county of Franklin and State of New York.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 1, 1893.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

SILETZ INDIANS.

The SPEAKER laid before the House a letter from the Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs, with the inclosures, relating to an agreement with the Indians on the Siletz Reservation, in Oregon; which was referred to the Committee on Indian Affairs.

METROPOLITAN STREET RAILWAY COMPANY.

The SPEAKER also laid before the House a letter from the president of the Metropolitan Street Railway Company of the District of Columbia, transmitting a statement of the receipts and disbursements of said company for the year ending June 30, 1892; which was referred to the Committee on the District of Columbia.

REPORT OF THE COAST AND GEODETIC SURVEY.

The SPEAKER also laid before the House the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth of the report of the Superintendent of the United States Coast and Geodetic Survey for the fiscal year 1892, 1,500 extra

copies of Part I, in quarto form, of which 200 copies shall be for the use of the Senate, 600 copies for the use of the House, and 700 copies for distribution by the Superintendent of the Coast and Geodetic Survey; and of Part II, in octavo form, 2,800 extra copies, of which 200 copies shall be for the use of the Senate, 600 copies for the use of the House, and 2,000 copies for distribution by said Superintendent.

Mr. RICHARDSON. Mr. Speaker, this is a resolution to print the annual report of the Coast Survey, and is a large reduction over the printing heretofore ordered. It is the number fixed in the bill which passed the House known as the printing bill, and I ask that the concurrent resolution be now considered.

There being no objection, the resolution was considered and concurred in.

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

LEAVE TO WITHDRAW PAPERS.

On motion of Mr. SMITH of Illinois, by unanimous consent, leave was granted to withdraw from the files of the House the papers in the case of Holman Anderson, there being no adverse report.

TELLERS TO COUNT THE ELECTORAL VOTE.

The SPEAKER. The concurrent resolution adopted by the Senate and the House in relation to the count of the electoral votes on the 8th instant provides that two tellers shall be appointed on the part of the Senate and two on the part of the House, but it does not provide the manner in which these tellers shall be selected; and inasmuch as the forms are now being prepared, it is important that the tellers should be appointed. The Chair is in doubt whether he has a right to appoint them under the terms of the resolution without the consent of the House. If there be no objection, the Chair will appoint as tellers on the part of the House two members of the Committee on the Election of President and Vice-President—the gentleman from Michigan, Mr. CHIPMAN, and the gentleman from Massachusetts, Mr. LODGE.

There was no objection, and it was so ordered.

Mr. KILGORE. I demand the regular order.

Mr. ENOCHS. I make the same demand.

The SPEAKER. The regular order is the call of the standing and select committees for reports.

CALL OF COMMITTEES.

The roll of committees was called for reports; when bills of the following titles were severally reported, and, with the accompanying reports, ordered to be printed, and referred to the Calendars named below:

BOARD OF CHARITIES, ETC., DISTRICT OF COLUMBIA.

By Mr. HEMPHILL, from the Committee on the District of Columbia: A bill (H. R. 9873) to create a board of charities, etc., in the District of Columbia—to the House Calendar.

PERMANENT CENSUS BUREAU.

By Mr. WILLCOX, from the Committee on the Eleventh Census: Resolution relating to the establishment of a permanent Census Bureau—to the House Calendar.

Mr. WILLCOX. Mr. Speaker, there is also a minority report to be presented. I ask leave that that also be printed.

The SPEAKER. Without objection the views of the minority will also be printed.

LOAN OF THE PICTURE ENTITLED "THE RECALL OF COLUMBUS."

By Mr. ROBINSON of Pennsylvania, from the Committee on the World's Columbian Exposition: A joint resolution (S. R. 134) authorizing the loan for exhibition at the World's Columbian Exposition of the picture entitled "The Recall of Columbus," by Augustus G. Heaton—to the House Calendar.

SHIP CANAL, STATE OF WASHINGTON.

By Mr. CRAIN, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 9653) making appropriations for the construction of a ship canal connecting lakes Union and Washington with Puget Sound—to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Mr. BELTZHOOVER. Mr. Speaker, I desire to ask, as to the bill (H. R. 10386) to provide for the settlement of accounts with certain railway companies, introduced yesterday and referred to the Committee on War Claims, that that committee be discharged from the consideration of that bill, and that it be referred to the Committee on Military Affairs, for the reason that that bill has been before the Committee on Military Affairs and it was unanimously ordered to be reported adversely. It has no right to go to the Committee on War Claims, and I ask that it be referred back to the committee who have jurisdiction and now have it under consideration.

The SPEAKER. Without objection the change of reference will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed with amendments the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

It also announced that the Senate had passed without amendment the bill (H. R. 10063) to amend "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," etc.

SUNDAY CIVIL APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of further considering general appropriation bills.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes, with Mr. LESTER of Georgia in the chair.

The CHAIRMAN. When the committee rose yesterday a point of order made by the gentleman from Iowa [Mr. BUTLER] was pending.

The gentleman from Ohio [Mr. OUTHWAITE] will be recognized.

Mr. OUTHWAITE. Mr. Chairman, I desire to say a few words in favor of sustaining the point of order made to these appropriations for rivers and harbors. The gentleman from Louisiana [Mr. BLANCHARD], chairman of the Committee on Rivers and Harbors, made a very exhaustive statement last evening against the point of order, and I will first consider some of the propositions which he advanced.

One of those propositions was that at some time heretofore the Committee on Appropriations, in the sundry civil bill, had made certain appropriations which might legitimately have been made by the Committee on Rivers and Harbors. The gentleman cited several instances. In the course of his argument he showed that even at that time there were members upon the floor who believed that a point of order would lie against such appropriations.

But it occurs to me that the real reason that points of order were not made to them was because of the smallness of the amount and the plethoric condition of the Treasury. And I will say to the gentleman from Louisiana that if this bill contained an appropriation of 50 per cent of the amount here that, so far as I am concerned, I would have foregone a point of order.

Mr. BLANCHARD. Will my friend yield to me a moment?

Mr. OUTHWAITE. Certainly.

Mr. BLANCHARD. Does he know that the Eads contract at the mouth of the Mississippi River, which was paid for in the way that I indicated yesterday, aggregated more than \$5,000,000. Does he call that a small amount?

Mr. HOLMAN. No point of order was made.

Mr. OUTHWAITE. I say that no point of order was made when those amounts were appropriated. Listen to my reply, that Congress did not appropriate or propose to appropriate over \$40,000,000, as this Congress does. In its appropriations last year, and that which it proposes to appropriate now, nearly \$43,000,000 is to be given to rivers and harbors. It is twice as much as has ever been appropriated by any Congress heretofore. But, Mr. Chairman, the fact that no point of order was made counts for nothing.

Mr. SAYERS. Does the gentleman state to this committee that this bill carries more than twice as much as ever has been carried by a bill of this character?

Mr. OUTHWAITE. I said that the appropriations of this Congress are more than twice as much as has ever been appropriated before for rivers and harbors.

The fact that no point of order was raised, as I have said, counts for nothing. We had a very striking example of that at the beginning of this session. Thousands of bills have passed this House in previous sessions in the first six days of Congress, in the second session, without any point of order being made, of bills that originated in the previous session which should not be considered in the first six days, when the rule was exactly the same for several Congresses back. The gentleman from Texas [Mr. KILGORE] made that point of order to a bill which I called up in the first six days, and it was sustained. Nobody thought of arguing at that time because a point of order had never been made before, it was not a good point of order.

Another proposition of the gentleman from Louisiana [Mr. BLANCHARD] is, that this appropriation is an appropriation in pursuance of contracts; that, in other words, the Government is

obliged to appropriate these several amounts. First, I take issue as to the statement itself being correct law; second, I take issue as to the amount being necessary on account of any contract. Previous river and harbor bills read straight along, containing this language: "Continuing improvement," "Continuing improvement," "Completing improvements," etc.; showing that those appropriations were just as much for continuing improvements as these appropriations are.

Now, what is there in the law itself as to the necessity and the obligation of the Government making any of these contracts? I will read a portion, a clause, from one of these items in the last appropriation bill, where these contracts were authorized.

On page 170 it provides that a certain amount shall be provided, that contracts may be entered into by the Secretary of War for such material and work as may be necessary to carry out the plans proposed by Gen. O. M. Poe, etc.:

To be paid for as appropriations may be made from time to time.

That clause is in every one of the contracts. There is no obligation upon the part of the Government to appropriate a cent at this session. The contract provides that it is obligatory only as appropriations shall be made from time to time.

Now, let us turn to the Book of Estimates upon this subject. These items for rivers and harbors are not even estimates. They are amounts submitted under the following heading:

The following statement is not furnished as a part of the "annual estimates of the public service" required by the act of March 3, 1875, to be furnished by the Secretary of War to the Secretary of the Treasury, but is inserted as a convenient and customary summary—

The CHAIRMAN. The committee will please be in order.

Mr. CRAIN. Mr. Chairman, will the gentleman permit an interruption?

Mr. OUTHWAITE. As soon as order is restored, I will.

Mr. CRAIN. I want to ask the gentleman this question—

Mr. OUTHWAITE. Will the gentleman permit me to finish reading the paragraph, and then I will yield to him? but is inserted as a convenient and customary summary of items taken from the Annual Report of the Chief of Engineers for the fiscal year of 1892, showing under the provisions of the act of Congress, approved March 2, 1867—

What! "That is absolutely required"—no; that "must be finished by the Government"—no; showing—

The amount that can be profitably expended in the next fiscal year—on each of the works mentioned. That is all there is in it. That is all the Book of Estimates contains upon this subject. It is not an estimate; it is a statement of the amount that can be profitably expended in the next fiscal year on each of the works mentioned. If we had plenty of money in the Treasury, of course—

Mr. CRAIN. Will the gentleman from Ohio maintain, as a lawyer, that it is not true that every contract or liability undertaken by the Government through its accredited agents can only be paid for as appropriations are made by Congress, whether so specified in the act or not?

Mr. OUTHWAITE. I do not think it is necessary to answer that question categorically. I will simply say that these contracts are drawn according to a special statute, with reference to the fact that the Congress at its second session has heretofore usually failed to make appropriations for rivers and harbors.

Mr. CRAIN. The gentleman lays great stress upon that proviso in the item providing for these contracts. I ask him again: Is it true that, whether it be specified in the item providing for a contract or not, the Government can only pay as appropriations are made?

Mr. OUTHWAITE. Of course it can only pay as appropriations are made. Then there is no force in the argument of the gentleman from Louisiana [Mr. BLANCHARD], that this Congress is bound to make these appropriations.

Mr. HOLMAN. It is not a question of liability. Let me read a portion of one of these contracts. Take the contract for the improvement at Mobile, for instance. This provision is embodied in the contract:

The work must be commenced within two months after notification of award of contract, and the amount covered by the existing appropriation completed by June 30, 1893. The work will thereafter be completed or resumed—

Showing that a possible suspension was anticipated—continued or resumed as appropriations may from time to time be made by law; but the contractor may, if he so elects, carry on the work continuously until completed without waiting for such appropriations to be made. At all events, the contractor is expected, etc.

Mr. CRAIN. Does not that apply to your public Library building?

Mr. HOLMAN. Certainly. We appropriate as much as we please.

Mr. OUTHWAITE. That shows that there is no force whatever in the proposition of the gentleman from Louisiana [Mr. BLANCHARD] that we are under some moral or some legal obligation to make this appropriation at this time—no more force than there is in his proposition that Congress has not heretofore at the second session permitted the River and Harbor Committee

to pass through the House bills appropriating money for continuing these improvements. Why has that been the case? Because in the first session of each Congress a sufficient sum of money has generally been appropriated to cover two years if judiciously expended.

Now, as to the further point that this is a part of the President's message, I wish to call attention to the resolution distributing the President's message. The resolution distributing the message with reference to the jurisdiction of the Committee on Appropriations is in exactly the same language for this session as the resolution for the first session. If you read the one you read the other—that "so much as relates to the appropriation of the public revenue for the support of the Government as herein provided, namely, for the legislative, executive, and judicial expenses, for sundry civil expenses, for fortifications and coast defenses, for pensions, for the District of Columbia, and for all deficiencies," be referred to the Committee on Appropriations.

That is the language of both. If, under that language, the Committee on Appropriations has jurisdiction of appropriations for rivers and harbors now, it had the same jurisdiction at the first session of this Congress. And hereafter, if the point of order be not sustained and these rules remain as they are, we shall have two committees with jurisdiction over the same appropriations. There is danger of wastefully squandering the public money, as is likely to be the case where appropriations of this kind are pressed upon the House by more than one committee. I speak advisedly when I say that. I know of appropriations heretofore made in the river and harbor bill where subsequent to the expenditure of large sums of money a survey was authorized and made, and failed to find any substantial evidence that any such improvement had ever been made.

Mr. BLANCHARD. Name the place.

Mr. OUTHWAITE. I know of an appropriation in the river and harbor bill, where the engineers had to go to the Coast and Geodetic Survey to get information as to where the creek was to be found. [Laughter].

Mr. BLANCHARD. Will the gentleman name the place?

Mr. CATCHINGS. Name the place.

Mr. OUTHWAITE. I trust the gentleman from Mississippi will not put himself—

Mr. CATCHINGS. Name the place. The statement you rely upon was disproved in the Engineering Journal two or three years ago.

Mr. BLANCHARD. I ask the gentleman from Ohio if he can name the place?

Mr. OUTHWAITE. The Appomattox River was the place where the survey was made.

Mr. BLANCHARD. And you want to go upon record as saying that the statement you have just made applies to the Appomattox River.

Mr. OUTHWAITE. The information that I have is just exactly as I have stated it as to the first case. I do not mean, however, that the engineers could not find the Appomattox River.

Mr. BLANCHARD. Name the one that they could not find.

Mr. OUTHWAITE. I do not choose to do so. I am not to be called in question as to my accuracy of statement by the gentleman from Louisiana.

Mr. BLANCHARD. Can you name it?

Mr. OUTHWAITE. I can. Now, Mr. Chairman, the gentleman from Louisiana calls upon the Chairman of this committee in ruling upon this point of order to be guided by a resolution of the national Democratic convention. I did not know before that the national Democratic convention had taken charge of the parliamentary proceedings of the House of Representatives.

This point of order is directed not against the making of an appropriation, but against the jurisdiction of the Committee on Appropriations. No one questions that the River and Harbor Committee would have a right to report to this House a bill carrying these appropriations. No one questions that they would have the right to present and attempt to pass through this House such a bill. Gentlemen have argued to the Chair as if there were a question of that kind, or could have been under the rules.

This point of order is material, as I said, not only because of the amount involved, but on account of the principle which a negative decision on the point of order would involve—that two committees can have jurisdiction of the same subject, and that subject the one which carries larger appropriations, perhaps, than almost any single subject that is considered by Congress.

Mr. ENOCHS obtained the floor.

Mr. CATCHINGS. I desire to say a word—

The CHAIRMAN. The gentleman from Ohio [Mr. ENOCHS] has been recognized.

Mr. CATCHINGS. The gentleman will pardon me; I did not observe that he occupied the floor.

Mr. ENOCHS. I gladly yield to the gentleman.

Mr. CATCHINGS. I appreciate heartily the gentleman's

courtesy. Mr. Chairman, I do not propose to say anything with reference to this point of order. The statement of it answers itself. There is absolutely nothing in it; there never has been anything in it; nor has there been a word uttered which would justify the Chair in maintaining it. I have risen, Mr. Chairman, for the purpose of correcting an error into which my friend from Ohio [Mr. OUTHWAITE], who is a very able and intelligent man and who wants to be a fair man, has fallen. He has revamped here an old newspaper story which was floating around two or three years ago, which had no foundation whatever, and which was entirely disproved by the statement of the very engineer who was quoted as its authority.

The places to which my friend from Ohio alluded were Clark and Mingo Creeks, in the State of South Carolina. But the very engineer who was said to have been unable to find those creeks, addressed over his own signature a communication to the Engineering Journal, published in the city of Chicago, denying the statement as utterly preposterous; and he showed that the streams mentioned, so far from being unimportant creeks, were in fact estuaries or arms of the sea, and that they carried immense quantities of the most valuable and useful merchandise. That is precisely the truth.

Mr. Chairman, I know exactly to what my friend from Ohio alluded, and I have risen simply for the purpose of correcting him in this House.

Mr. OUTHWAITE. Does the gentleman know anything about the appropriation for Kokosing River in the State of Ohio?

Mr. CATCHINGS. I do not. I will state, however, that there has been no appropriation for any stream of that name since I have had the honor to be a member of the Committee on Rivers and Harbors.

Mr. OUTHWAITE. I happen to be informed of the fact that an appropriation was made for Kokosing River, although you could not run a skiff for half a mile any place on the stream.

Mr. CATCHINGS. I am not prepared to state whether an appropriation was made for such a stream, or whether there is such a stream, but I do state that no such appropriation has been made during the last eight years, since I have been a member of the Committee on Rivers and Harbors.

I wish to state again that the streams to which my friend alluded were Clark and Mingo Creeks, in the State of South Carolina; that the newspapers were at one time filled with all sorts of gossip and slanderous stories in regard to this matter; but the engineer who was charged with the duty of expending the money appropriated for the improvement of those streams addressed a communication over his own signature to the Engineering Journal of Chicago, in which he denied that there was any truth in the statements which were made, and explained clearly and in detail the absolute value of these streams as arteries of commerce.

It is an easy thing, Mr. Chairman, to abuse the river and harbor bill. It is something to which those of us who have served here for some years are accustomed. But the committee having charge of that bill has stood here session after session and challenged dispute and debate upon every item in the bill; and we have overthrown (I say it with all modesty) every attack that has been made upon any single item in the bill. I state here now that there is not another appropriation bill coming before this House which receives such patient care, such concentrated thought, such elaborate investigation at the hands of the appropriate committee as this much denounced river and harbor bill.

I state further that there is no appropriation committee of this House that expends one-half the labor or energy in the careful preparation of its bills that the River and Harbor Committee does. I will say more (and I say it without any fear of contradiction), that no money which this Government expends brings so directly to the people of this country such great benefits as the money which is expended in this direction. Why, sir, you have now at the city of New York a harbor 27 feet deep, made so by money "squandered" through the hands of this outrageous River and Harbor Committee. Take Mobile, take Galveston, take Savannah, take any of the important harbors on the Great Lakes, and how would your great ships find entrance but for the money which we have expended in this way?

I confess, Mr. Chairman, that I lose patience and become fatigued with this everlasting assault upon the river and harbor bill, without any foundation for the assault. If my friend wishes to assail it let him not content himself with general denunciation, because that is so cheap that any penny-a-liner can indulge in it, but let him take some one of these bills and item by item establish to the House the truth of his charges. I deny utterly and absolutely the justice of these charges. I say that the gentlemen on the Committee on Rivers and Harbors have the interests of the Treasury just as much at heart as has my friend from Ohio; we desire that economy be practised just as much as my distinguished friend from Indiana who sits in front of me, and who never loses an opportunity to pour out the vials of his

wrath and denunciation upon this bill. Why should we not be just as honest and painstaking as any other gentleman on this floor?

Mr. CRAIN. Will the gentleman from Mississippi pardon an interruption?

Mr. CATCHINGS. Yes, sir.

Mr. CRAIN. Will the gentleman from Mississippi please state what connection these charges of the gentleman from Ohio have with the point of order which has been made against this appropriation?

Mr. CATCHINGS. Precisely the same connection as the remarks which I have had the honor to submit.

Mr. CRAIN. I do not see wherein the remarks of the gentleman from Ohio have any bearing upon the point of order.

Mr. OUTHWAITE. The "gentleman from Ohio" submitted his remarks not as having any connection with the point of order, but expressly stated with a view to meet the argument which was submitted on the other side; and they are appropriate in reply to those remarks.

Mr. CATCHINGS. I have not criticised the course of my friend from Ohio in discussing the point of order. I rose simply for the purpose of making a brief reply to those charges which have been made and which, in my judgment, and I believe from my personal knowledge, are utterly without foundation.

Mr. HOOKER of Mississippi. Mr. Chairman, I wish to say a word on the point of order. While I am one of those members of this House who, at the time when the question arose about distributing the powers of the House in the matter of appropriations to the various committees, instead of confining them exclusively within the jurisdiction of the Committee on Appropriations (the first departure in that respect being in regard to the Committee on Agriculture), favored such distribution, yet I think on this point of order which is now pending that the Committee on Appropriations is the committee which has proper jurisdiction of the subject-matter, and that the bill presented by that committee must be and can be the only proper bill in which to embrace expenditures having reference to meeting contracts entered into by the Government for this or any other purpose.

The function or office of the River and Harbor Committee is, in the preparation of its bill, to designate what particular streams shall be improved or what harbors shall be appropriated for, and to so indicate by putting the matter before the House in a tangible form for its action. But with reference to contracts which continue from year to year, it seems to me that there can be and ought to be no question but that the general Appropriations Committee of the House is the proper committee and the only committee to make provisions for the expenditures of money to carry such contracts into operation and to compensate the parties with whom the Government has entered into such contracts for the work.

That, as I understand it, is the precise point of order raised in this particular case, namely, that the Committee on Appropriations, my friend from Indiana [Mr. HOLMAN] being the chairman, is not the proper committee to make these appropriations, but that the River and Harbor Committee alone should indicate them to the House, and that the river and harbor bill is alone the medium through which they shall be made.

Take this session of Congress, Mr. Chairman, and it is an open secret that there will be probably no river and harbor bill at this session, and hence, if you think an appropriation necessary to carry out the annual contracts made by the Government and to make provision for continuing contracts which extend from year to year, there is no committee authorized to make such provision save and except the Committee on Appropriations.

I think, therefore, the appropriation is properly embraced in the pending bill and ought so to be ruled by the Chairman.

Mr. BUTLER. Mr. Chairman, I shall not detain the committee at any length in discussing this question of order further; but a few remarks might be appropriate on the question in the direction already pursued.

I think we are all agreed on this question up to a certain point. Every person who has spoken on the question of order is agreed that were this appropriation asked as original law, for the development of rivers or harbors, that it would be a matter exclusively within the control of the River and Harbor Committee. Up to that point there can be no question, and were this an original resolution in reference to such original improvements, the matter must be referred, under the rules, to the River and Harbor Committee, which alone would have jurisdiction; so that the discussion comes after that point is reached, and the whole argument has been that this kind of an appropriation—these appropriations in pursuance of contracts which are continuing in their character—are in order on the general appropriation bill from the Committee on Appropriations, although the other might not be.

To establish this point the gentleman from Louisiana [Mr.

BLANCHARD] has quoted from the Revised Statutes of the United States, showing that for many years these appropriations have been made in this way. Now, it has occurred to me that questions of order are to be determined by the record of this Congress rather than by the Revised Statutes. We all know that jurisdiction in any matter may be granted in this House by unanimous consent. Every morning we have unanimous consent given, for instance, to pass various private bills that are not in order under the rule, and against which the point of order could be sustained at any time.

The mere fact that by unanimous consent, or what is the same thing unanimous silence, such matters are taken up and considered, does not make a rule or precedent by which the House can be governed in other similar matters, nor does it establish a practice sufficient to overturn the rules of the House. The fact that it has been done has nothing whatever to do with the point of order that is pending. We must come to argue that question on the basis of what is right and what is wrong in this matter as a parliamentary rule of procedure.

So now we approach it in this way, and this question has not been answered by the gentleman from Louisiana [Mr. BLANCHARD] or anybody else, that one committee and one alone has jurisdiction of each question in this House unless changed by order of the House. There can not be a double or concurrent jurisdiction. Now, if the Committee on Appropriations has charge of this rightfully and has jurisdiction of it, then the River and Harbor Committee has no jurisdiction. One or the other has exclusive jurisdiction unless changed by order of the House; and it is also true that if one committee had jurisdiction at the last session the same committee has jurisdiction this session for the very same class of work. I know the question will be raised that no point of order was made during the last session; but I am equally certain that the committee will not admit that a point of order could have been raised against it. In the last session we find that the wording was exactly the same. We find in the last bill:

For improving harbor at Savannah, Ga.: Continuing improvement, \$318,700.

We find also in this bill this year:

For improving harbor at Savannah, Ga.: Continuing improvement, \$1,000,000.

Now, the continuing improvement last session was under the jurisdiction of the Committee on Rivers and Harbors, and yet the same members argue that a continuing improvement this session is under control of the Committee on Appropriations, whereas there can not possibly be a jurisdiction one session for one committee, and jurisdiction of the same thing for another committee in the next session. It would be preposterous to claim that.

Then the committee must get jurisdiction by some action of the House. These estimates, which are said by the gentleman from Louisiana [Mr. BLANCHARD] to be a part of the Presidential message, are referred to the Committee on Ways and Means, and by them parcelled out among the committees; and it so happens that in each Book of Estimates all the estimates go to every committee that has charge of any class of appropriations. That does not give the Committee on Appropriations control of every appropriation. It does not give the Committee on Military Affairs control of every appropriation, but simply its portion of the appropriation. And you can not divide this jurisdiction. Either the Committee on Rivers and Harbors must admit that it has not jurisdiction at all of such questions, or else that it has exclusive jurisdiction.

There is another thing apparent here. The very moment that the point of order on the river and harbor items came up, it was expected that the gentleman from Louisiana [Mr. BLANCHARD] would answer that point of order. Why? Because the whole House recognized that the River and Harbor Committee has control of these affairs, and that the gentleman from Louisiana [Mr. BLANCHARD] is the proper spokesman of that committee. Why was not some member of the Appropriations Committee recognized? Because it was recognized as right that the man to oppose this question of order was a man on the committee that rightfully had jurisdiction of these affairs; and so it was that the gentleman from Louisiana [Mr. BLANCHARD] defended the question.

Mr. DOCKERY. I will suggest to the gentleman from Iowa [Mr. BUTLER] that as a member of the Committee on Appropriations I voted to report this proposition, because in my judgment under the rules the Committee on Appropriations had exclusive jurisdiction of contract liabilities.

Mr. BUTLER. That is a point I am about to make, that in the next session the River and Harbor Committee can not weave a contract into its bill, and that that point of order must be maintained by the Chair if this point of order is not sustained, and that the River and Harbor Committee has not control of these contract matters at all, or else has exclusive control of them.

I agree with the gentleman from Missouri [Mr. DOCKERY], that if the Appropriations Committee has any jurisdiction at all it has exclusive jurisdiction of the matter. But the gentleman from Louisiana [Mr. BLANCHARD] makes this point: He says these are surely sundry civil expenses. So are all the expenses of the Government of the United States carried in the general appropriation bills sundry civil expenses; but when considered from the status of the rules of this House, we mean by sundry civil expenses all those civil expenses not directly enumerated in other bills.

The consular and diplomatic appropriation bill would be a sundry civil expense, because the expense is entirely civil, but it does not come in on the sundry civil bill, because in the enumeration of the powers of these committees that matter is given exclusively to another committee, and the sundry civil bill is to pick up the odds and ends that have no absolute and definite jurisdiction anywhere else; and if this has no definite jurisdiction elsewhere, then it might come in on this bill.

But there was a section read by the gentleman from Missouri yesterday, not in the regular debate, but suggested, and the rule says:

No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

I hold that that does not apply in this case, for this reason and this alone: It says that no appropriation shall be reported unless so and so, but it can not mean that any general appropriation bill may report anything of that kind. Otherwise the Committee on Military Affairs might appropriate something for post-office expenses, or any other governmental expenditure. But it does not give the right unless it has the jurisdiction in the first place.

Mr. DOCKERY. But having jurisdiction, it must be germane, and, being germane, as in this case, these items are in order on this bill.

Mr. BUTLER. If that be true, the gentleman from Missouri is absolutely correct. If this committee has jurisdiction of contract matters of this kind, and they are germane, the gentleman is correct, but that would absolutely fix this point of order for the next session of Congress, and when the River and Harbor Committee attempts to report a bill including appropriations for contracts it will be maintained that the Committee on Appropriations has exclusive jurisdiction of contracts and that the River and Harbor Committee has no such jurisdiction; but if the gentleman from Louisiana is right he will hold that the River and Harbor Committee has not complete, but that the Appropriation Committee also has jurisdiction on these contract matters, which will give a duplicate jurisdiction; giving jurisdiction to one committee at one time and to another committee at another time is absolutely inconsistent, and the position is untenable.

Mr. BLANCHARD. Now, if my friend from Iowa will allow me to interrupt him.

Mr. BUTLER. For a question.

Mr. BLANCHARD. This is the distinction: The River and Harbor Committee have jurisdiction originally to commit the Government to river and harbor improvements at a given locality. Therefore, it is in the province of the River and Harbor Committee to authorize on its bill a contract to be made for the Secretary of War to complete a certain project of improvement. If that is enacted into a law by the action of Congress, thereafter the River and Harbor Committee has no jurisdiction of the question of appropriating the money to meet the payment under that contract, but it goes to the Committee on Appropriations.

Mr. BUTLER. Then we all agree as to one point—that the jurisdiction is absolute in the River and Harbor Committee on all river and harbor improvements, as originally proposed.

Mr. BLANCHARD. To originate, yes.

Mr. BUTLER. To originate, and that the Committee on Appropriations has no authority whatever on cases that are original, and the jurisdiction elsewhere is complete and absolute.

Mr. BLANCHARD. That is right.

Mr. BUTLER. If that be the case, I do not care to argue any further. I believe the point of order is well taken. The real point that I desire is, that of establishing the jurisdiction of any committee which has been given jurisdiction by the rules of this House, to maintain that jurisdiction against the Committee on Appropriations, or any other.

Mr. HOLMAN. Mr. Chairman, I hope that it will be agreed that there has been sufficient debate upon this point of order. We are very anxious to pass this bill and the deficiency bill today, and we think that both of them can be passed if we shall be a little considerate. I only wish to say a word or two in the interest of the orderly proceedings of the House of Representatives, and especially of the committees. I think that it is of

the highest importance that there should be no conflict of jurisdiction. Those conflicts of jurisdiction have generally been the outgrowth of the anxiety on the part of a given committee to control a given subject of legislation.

Now, there is no such sentiment whatever. The question is simply one, so far as I am concerned, as to what is right and proper in the orderly administration of the business of the House. I regret exceedingly, Mr. Chairman, that to bolster up the jurisdiction of a committee my distinguished friend from Louisiana [Mr. BLANCHARD] deemed it necessary to call in the expressions of the Democratic party as to what should be the true line of public policy that ought to be adopted. I think that my friend, upon reflection, will himself think that it was hardly proper in a body like this.

But, Mr. Chairman, I am very anxious to be heard upon one point for a moment. I do not believe if there were only \$100,000 involved here there would be any trouble. I admit the weight and power of \$16,000,000; I admit the anxiety of the gentleman to act on this subject for or against it. But, Mr. Chairman, what is the result of this action? There is no trouble about the rules. Some things are so clear that you may demonstrate them by a diagram, and some are so clouded that you can not elucidate them by argument.

In the first place, I take the estimates as a part of the President's message. It is conceded on all hands, I believe, that the Book of Estimates is a portion of the President's message, and that the subject-matters touched upon by the President's message are distributed amongst the various committees of the House. In the first place, Mr. Chairman, there was no reference to the subject of river and harbor improvements in the President's message. That must be conceded. That is a fact, Mr. Chairman, within the personal knowledge of the Chair, that the subject of river and harbor improvements was not mentioned in the President's message.

The estimates were distributed out among the committees, whatever pertaining to the Committee on Appropriations referred to it, whatever to the Navy to the Committee on Naval Affairs, whatever related to the military to the Committee on Military Affairs, and whatever referred to the respective committees to those committees; but inasmuch as there was no reference whatever to the river and harbor improvements in the President's message, there is no reference to any committee, because there was nothing to refer. The only references that could be made to that committee was through the usual course, through the Speaker. All that is referred to the committee is by the distribution of the President's message. It can not be contended that the subject of river and harbor improvements has been referred to the Committee on Appropriations.

I trust that no gentleman pretends that this subject of river and harbor improvements has been referred to the Committee on Appropriations. So that if it is before the Committee on Appropriations, and jurisdiction conferred, it must have been by reference of the President's message to the various committees of the House. I think that is very clear.

Now, Mr. Chairman, the Chair is very well aware of the fact of the general reference as to the subject-matters in the President's message. The Book of Estimates does not embrace any estimates for river and harbor improvements. There are two classes in the Book of Estimates. First, the estimates submitted by the Secretary of the Treasury; secondly, the addition of the various items together, making the amount total.

To illustrate what I mean, the grand total is \$421,612,215.66. That is the recapitulation by titles, the grand total, and it does not embrace one dollar for rivers and harbors. Not one dollar for rivers and harbors is in that item. They are not referred to.

Mr. DOCKERY. Will not the gentleman state in that connection that no estimate was submitted for rivers and harbors at the first session of this Congress?

Mr. HOLMAN. How does that change the case?

Mr. DOCKERY. Nevertheless, the river and harbor bill was reported from the Committee on Rivers and Harbors.

Mr. HOLMAN. The subject-matter was referred to that committee, and when they reported the bill nobody raised any point of order against it.

Mr. DOCKERY. But that committee reported a bill providing for rivers and harbors notwithstanding the fact that the Secretary of the Treasury had failed to send in any estimates for such objects.

Mr. HOLMAN. Certainly; and nobody raised any question about it.

Mr. BRECKINRIDGE of Arkansas. Does not the gentleman know that the estimates that are dealt with in the paragraph under consideration, while they are not in the list he has just read, are yet found upon another page, and were officially referred by the same act and in the same manner as the items of the list to which he has called attention?

Mr. HOLMAN. I will come to that. I repeat, Mr. Chairman, here is the grand total recapitulation by titles, including, of course, all the estimates, legislative, executive, judicial, foreign intercourse, military, naval, Indian affairs, pensions, public works, postal service, miscellaneous, etc., they are all estimated for here in the regular way, making a total of \$421,612,215.86, and there is not one word of reference to rivers and harbors.

Mr. CRAIN. In the recapitulation.

Mr. HOLMAN. In the recapitulation, and of course it covers the whole amount.

Mr. CRAIN. Not necessarily.

Mr. HOLMAN. Now, Mr. Chairman, having shown the action of the Secretary of the Treasury in submitting his estimates, I come right back to the point to which my friend from Arkansas has referred. I read from another part of this book:

The following statement is not furnished as a part of the annual estimates for the public service.

Then it sets forth these items which are the subject of dispute here. "The following statement is not furnished as a part of the annual estimates." These items are furnished simply as a statement made by the Chief of Engineers, and not one dollar for these purposes is estimated for or recommended by the Secretary of the Treasury.

Mr. SAYERS. Is not that the very identical language that appeared in the Book of Estimates at the first session of this Congress, when we made an appropriation against which the gentleman did not make this point?

Mr. HOLMAN. Of course it is. I was satisfied with that \$814,000 appropriation. I did not want to make the point of order upon it.

Mr. CLARKE of Alabama. Then, with the gentleman from Indiana this is a matter of amount, not a matter of principle.

Mr. HOLMAN. I did not want to make the point of order upon that. But, Mr. Chairman, are we to hear intelligent gentlemen well versed in legislation citing as a precedent in support of a proposition like this the fact that the same subject-matter has been embraced in other appropriation bills when no point of order has been made and ruled upon? Let me put the matter in a more tangible form. I challenge gentlemen to find any case where it has been ruled upon a point of order that matters pertaining to rivers and harbors are within the jurisdiction of the Appropriations Committee. I challenge them to find any such ruling from the foundation of the Government up to the present time. They can not find any such precedent. Then how do we stand? Here is the declaration of our rules, and—

Mr. CRAIN. This is a contract liability.

Mr. HOLMAN. Oh, dear me! As though that made any difference. Why, sir, we have been improving rivers and harbors from the beginning by the contract system! These are not the only instances of contracts. Contracts have existed all along the line of our river and harbor improvements. Gentlemen have been very ingenious in fixing up this business. Now let us take this matter of reference.

Mr. CRAIN. There has only been one similar case—the Eads case.

Mr. HOLMAN. Yes, and I was interested in the passage of the Eads bill. I did not make any point of order.

Mr. CRAIN. Because you were interested.

Mr. HOLMAN. And nobody else did; everybody was interested.

Mr. CRAIN. So am I, in this.

Mr. HOLMAN. That bill passed this House *nem. con.*; not a solitary voice was raised against it. And of course no point of order was made.

Mr. CRAIN. And you were interested in it.

Mr. HOLMAN. Everyone was interested in it. It was a matter of public necessity in which the whole value of the Mississippi River was concerned; and the work was to be constructed from time to time as the resources of the country would permit.

Now, Mr. Chairman, our rules provide—

That all legislation shall be referred to the committees named in the preceding rules as follows, viz: * * * Subjects relating to the improvement of rivers and harbors, to the Committee on Rivers and Harbors.

I stand in the presence of a very intelligent body of gentlemen. I have never seen an abler House; it is full of men of large experience. And not one gentleman will rise to his feet here and say that the subject-matter we are now debating is not for the improvement of rivers and harbors, in the exact words of the rule. And yet because the sum is vast, because local interests are powerful, we are asked to override the clear and unquestioned rule of this House for the purpose of reaching this subject now.

Are we justified in doing this? Are we justified in creating, by acts like this, uncertainty as to the jurisdiction of our committees? The question involved in this ruling is the most im-

portant I have known to arise in this House for many years. No public interest will be embarrassed by permitting this subject to go where it belongs—to the committee where your rules say it shall go. It has never been referred anywhere else. Let that committee report to the House a proper bill on this subject. I have no doubt it will pass in some form or other in due time for approval before the 4th of March next. But, gentlemen, let us proceed in order. Let not our anxiety for local improvements (because the great body of the people are indifferent to the subject) force upon our rules a construction that will pester us for many years to come.

That is what I am fearful of. The appropriations for these purposes in some form, great or small, will be made. We may not appropriate the whole \$16,000,000, for the reason that Gen. Casey himself says there has been a mistake of \$500,000 in one of his estimates. I have no apprehension—I do not allow myself to indulge the apprehension—that the House at this time will agree to appropriate \$16,000,000; but I take it for granted that a bill for this object will go through in some form or other. Let it, however, go through by means of the regular channel; let us not violate for this purpose the rules we have deliberately adopted.

Mr. BUSHNELL. Before the gentleman takes his seat I would like to ask him a question for information.

Mr. HOLMAN. I will cheerfully answer the gentleman if the committee will hear me.

Mr. BUSHNELL. I observe that the subdivision of this bill now under consideration contains seventeen items. All but three of these appear to be appropriations for continuing improvements already begun; three of them do not appear to belong to that class. The appropriation for improving the channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, \$1,000,000; the appropriation under the charge of the Mississippi River Commission, and the appropriation under the charge of the Missouri River Commission, these three do not appear to be in the same language as the others.

Mr. HOLMAN. The language is substantially the same.

Mr. BUSHNELL. I wish to ask whether there is any difference between these items and the others, which are appropriations for continuing improvements already begun under existing law?

Mr. HOLMAN. There is nothing new in the language to which the gentleman refers; our appropriations have always been for continuing work, except in the case of the first appropriation. There has been, I think, no instance in our history where the whole sum required has been appropriated at once. In the case of the jetties there was a limit fixed to the amount. A contract was made with Mr. Eads and his associates, and the money was to be appropriated from time to time. It was so appropriated, and when an appropriation for the purpose went upon the sundry civil bill it did so by the unanimous consent of the House, in accordance with the spirit and temper in which the original act was passed.

Mr. SAYERS. The gentleman from Indiana has referred to a peculiarity in the estimates. I would like to ask him what matters it in view of the fact that these moneys are expended upon specific contracts made under authority of law?

Mr. HOLMAN. We have always had contracts, but we appropriated in the regular way. There is no instance in which it has been held that the Committee on Appropriations has jurisdiction; not an instance. Appropriations of this kind, if reported by them, have been passed *nem. con.*—by unanimous consent. It has been done in that way, but in no other way.

Mr. SAYERS. Mr. Chairman, I wish to remove from the minds of this Committee of the Whole a possible misapprehension that may have arisen on account of the statement made by the gentleman from Indiana that these river and harbor estimates appear in a peculiar form in the present Book of Estimates.

Mr. HOLMAN. Oh, no, I did not.

Mr. SAYERS. That is just what you said.

Mr. HOLMAN. I said these were not estimates at all.

Mr. SAYERS. Very well. Now let me proceed. I will say to the gentleman from Indiana that if he will examine the Book of Estimates submitted to the first session of this Congress he will find no estimates whatever for river and harbor purposes—

Mr. HOLMAN. I agree to that.

Mr. SAYERS. Very well; but there will be found estimates similar, word for word, so far as the preamble is concerned, to the estimates covered by the paragraph under consideration. These estimates are alike word for word.

Mr. HOLMAN. But that is no estimate at all.

Mr. DOCKERY. The only difference was they were not included in the totals.

Mr. SAYERS. That is all.

Mr. HOLMAN. And not declared to be estimates at all.

Mr. SAYERS. But this committee should understand that

the Books of Estimates for the first session of this Congress, and for the present session, do not contain items regarding the improvement of rivers and harbors, except those which are put under contract in consequence of legislation by the Fifty-first and the present Congress. This is the point to which I wish to direct the attention of this committee.

The CHAIRMAN. The Chair is prepared to rule upon the question of order.

The gentleman from Iowa [Mr. BUTLER] makes a point of order against so much of this bill as proposes appropriations for work on certain rivers and harbors. It is claimed that the Appropriations Committee, which brings this bill before the House, has no jurisdiction to report such matter to the House.

That depends, in the opinion of the Chair, upon the question whether the Committee on Appropriations is limited or restricted by the rules of the House in such way as to destroy its authority, and the Chair thinks that all the limitation put on that committee in the matter of appropriations, so far as applicable to a question of this nature, is contained in the twenty-first rule of the House, paragraph 2, in the following language:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

There is no restriction on the power of the committee beyond what is contained in that paragraph. The question is whether the Committee on Appropriations is prohibited from submitting this appropriation by virtue of that restriction.

This appropriation called for by the provision of the bill under consideration is made by virtue of law passed in the last session of this Congress, and by the previous Congress, authorizing the Government, or the Secretary of War on behalf of the Government of the United States, to enter into contracts for doing a certain work which was specified and clearly pointed out in the bill embodying such provision of law; that is to say, certain work on rivers and harbors—particularly specified work, and the manner of making the contract and the limitations of the contract are all clearly expressed in the act; so that there is nothing in the rule referred to which restricts the Committee on Appropriations from reporting this appropriation.

It was suggested, I believe, that the act of Congress which authorized these contracts to be made was one which showed that the Government was under no obligation to appropriate money for these purposes. The provision of the contract—and all of them, I believe, contain a similar provision—is in the following words:

Contracts may be entered into by the Secretary of War for such matters and work as may be necessary to complete the present project of improvement, etc., to be paid for as appropriated from time to time; improvement made by a law not to exceed in the aggregate—dollars exclusive of the annual amount herein and hereinafter appropriated.

That is a specimen of the law applicable to these several items of appropriations mentioned in this bill. It has been suggested that inasmuch as they were to be paid for "as Congress from time to time may make the appropriations," that therefore the Government was under no obligation, and I suppose the idea is to imply that there was no law authorizing the contract.

Suffice it to say that here is the authority to make a contract for Government work, for Government objects, and the contracts having been made in all these cases, the Government is under obligation to pay the money, notwithstanding the fact that the work may be paid for as appropriations are made by law.

But it is a contract and has to be met. Such is the expression of the law. Then it is a Government contract for a Government object, in pursuance of law and by virtue of law. There is, of course, no power to compel the House of Representatives or the Congress to make appropriations for anything—no physical power; but here is the authority and the requirement to do it. It is an obligation so far as contracts can be binding. Then there is authority of law for doing this.

But it is said that the question here is that the Committee on Appropriations can not bring in such a bill as this, inasmuch as it has no jurisdiction by virtue of other rules of the House which take away that jurisdiction.

Rule XI provides that all proposed legislation shall be referred to the committees named in the preceding rule, as follows:

Subjects relating—
to various matters—

3. Appropriations of the revenue for the support of the Government as herein provided, viz., for legislative, executive, and judicial expenses; for sundry civil expenses, for fortifications and coast defenses, for the District of Columbia, for pensions, and for all deficiencies: To the Committee on Appropriations.

The eighth paragraph provides—

To the improvement of rivers and harbors: To the Committee on Rivers and Harbors.

Now, it is claimed that the giving of that jurisdiction to the Committee on Rivers and Harbors, as expressed here, deprives

the Committee on Appropriations of the authority which it would otherwise have but for that provision.

In the opinion of the Chair, if that jurisdiction is given in the first place, as the Chair thinks it is, to the Committee on Appropriations, as it otherwise would be but for this eighth section, that that eighth section does not take away that jurisdiction. Whether it might be concurrent or not may be a question; but the Chair does not think it concurrent, because the nature of this appropriation is not one which in the opinion of the Chair the Committee on Rivers and Harbors have jurisdiction over, because it is an appropriation made in pursuance of contract, for objects which the Government has provided for by law. Therefore it is a proper subject to come from the Appropriations Committee.

The Chair would say that if the Appropriations Committee should bring in a bill having an item or a paragraph, declaring in the usual language of river and harbor bills that so much money shall be appropriated for improving a river or harbor, without a law previously made authorizing and requiring the appropriation, the Committee on Appropriations would not have jurisdiction to bring in such a measure; in other words, it would not have jurisdiction unless the appropriation of money for that river or that harbor had been previously authorized by law and required to be met as an obligation of the Government.

The Chair overrules the point of order.

The Clerk will proceed with the reading of the bill.

The Clerk began reading.

Mr. STORER (interrupting the reading). Mr. Chairman, I have an amendment which I wish to offer.

Mr. HOLMAN. I hope all these items may be considered as one paragraph.

Mr. STORER. Without prejudice?

Mr. HOLMAN. Yes, all as one paragraph.

Mr. BINGHAM. That was objected to by the gentleman from Ohio [Mr. OUTHWAITE].

Mr. DINGLEY. It is the understanding that this is to be all considered as one paragraph?

Mr. BINGHAM. That was objected to by the gentleman from Ohio [Mr. OUTHWAITE].

Mr. HOLMAN. I supposed the gentleman from Ohio had withdrawn his objection.

Mr. OUTHWAITE. I will withdraw my objection, Mr. Chairman.

The Clerk read as follows:

For improving harbor at Mobile, Ala.: Continuing improvement, \$1,000,000.

Mr. CLARKE of Alabama. Mr. Chairman, I have an amendment, which I send to the Clerk's desk and ask that it be read.

Mr. STORER. That amendment is not in order unless mine is.

Mr. HOLMAN. There will be no objection to it. This is a different kind of an amendment.

The Clerk read as follows:

Amend line 18, of page 68, by striking out the words "one million" and inserting in place thereof the words "five hundred thousand."

Mr. CLARKE of Alabama. I desire to say that the estimate of \$1,000,000 upon which this report was made was based upon the evident impression on the part of the engineer in charge of the work that under the contracts made the contractors could be required to earn \$1,000,000 within the next fiscal year. From every standpoint of public interest, economy, the preservation of the work while in course of construction, and the needs of the port, it is extremely desirable that the work should be done upon the basis of the \$1,000,000 reported.

Unfortunately, however, the contract was so loosely, so ill drawn, that it is at least a matter of doubt whether the contractor can be required to earn more than \$500,000 this year. The Chief of Engineers is of the opinion that he can not be compelled to do more. The contractor himself appeared before the committee after the report was made. He exhibited the contract, and declared that he would not do more than \$500,000 worth of work, from the standpoint of the interest of his company, even if the appropriation were made. Under these circumstances, therefore, it is proper that the appropriation should be reduced in accordance with the amendment which I sent to the Clerk's desk.

The amendment was agreed to.

The reading of the items relating to river and harbor improvements was resumed and concluded.

Mr. STORER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

Mr. HOLMAN. I ask unanimous consent that all debate on these items shall terminate in one hour.

Mr. SPRINGER. You mean the items referring to river and harbor improvements?

Mr. HOLMAN. Yes; that they be considered as one item. I ask unanimous consent that debate shall be limited to one hour, to be equally divided.

Mr. DINGLEY. Mr. Chairman, one moment. An hour for an appropriation covering \$16,000,000. Is that sufficient?

Mr. HOLMAN. Well, how much does my friend suggest?

Mr. CATCHINGS. That is enough, I would suggest to the gentleman from Maine.

Mr. HOLMAN. Say an hour and a half; which will be three quarters of an hour on each side.

Mr. REED. It would be an hour for ten millions.

Mr. HOLMAN. I suggest an hour and a half, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that debate on this paragraph be limited to one hour and a half.

Mr. COGSWELL. There is objection to that. I think that you better make it two hours.

Mr. HOLMAN. Then make it two hours.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on these items be limited to two hours.

Mr. WILLIAM A. STONE. Does that apply to other paragraphs than those relating to river and harbor improvements.

The CHAIRMAN. To nothing but that.

Mr. DOCKERY. In order to expedite business, I think we ought to agree on less time than that.

Mr. COGSWELL. It will expedite business to give us two hours.

Mr. HOLMAN. I ask unanimous consent that the debate on these items be limited to two hours.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on this subject be limited to two hours.

Mr. WILLIAM A. STONE. There are two or three other matters that are embraced in the river and harbor matters, which are to be reached later, especially an amendment on page 84, line 24, on which I desire to say a few words.

The CHAIRMAN. That is all on that subject. All that is on the subject of the Engineer's Department.

Mr. WILLIAM A. STONE. Do I understand the Chair to say that that embraces all the amendments not yet disposed of?

The CHAIRMAN. Only those relating to river and harbor improvements. The gentleman from Indiana asks unanimous consent to limit debate upon the question of river and harbor improvements to two hours. Is there objection? [After a pause.] The Chair hears none.

Mr. HOLMAN. I hope the Chair will indicate how the time shall be controlled.

The CHAIRMAN. The gentleman from Indiana [Mr. HOLMAN] will be recognized to control the time in opposition to the proposition, and the gentleman from Louisiana [Mr. BLANCHARD] will control the time in favor of the proposition.

Mr. HOLMAN. I would like to have offered a substitute for the proposition, so that it may be pending.

The Clerk proceeded to read the substitute, which is as follows:

Strike out lines 22 to 25, inclusive, on page 63, all of pages 67 and 68, and lines 1 to 8, inclusive, of page 69, and insert—

“ENGINEER DEPARTMENT.

“For continuing river and harbor works under contracts heretofore authorized, \$8,000,000, to be expended in the discretion of the Secretary of War and under the direction of the President, on the following works, namely:

“Continuing improvement, removal of Smith's Island and Windmill Island, Pennsylvania, and Petty's Island, New Jersey, and adjacent shoals;

“Continuing improvement to entrance to harbor at Galveston, Tex.;

“Continuing improvement of Hay Lake channel, St. Mary's River, Michigan;

“Continuing improvement of Hudson River, New York;

“Continuing improvement of Great Kanawha River, West Virginia;

“Continuing improvement of channel over bar at the mouth of St. Johns River, Florida;

“Continuing improvement of Mississippi River from the mouth of the Ohio River to the landing on the west bank below the Washington avenue bridge, Minneapolis, Minn.;

“Continuing improvement of Saint Marys River, at the Falls, Michigan;

“Continuing improvement of channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo;

“Continuing improvement of canal at the Cascades of the Columbia River, Oregon;

“Continuing improvement of harbor of refuge at Point Judith, Rhode Island;

“Continuing improvement of harbor at Charleston, S. C., including Sullivan Island and Mount Pleasant shore;

“Continuing improvement of harbor at Savannah, Ga.;

“Continuing improvement of harbor at Mobile, Ala.;

“Continuing improvement of harbor and bay at Humboldt, Cal.;

“Continuing improvement of Mississippi River from Head of the Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission;

“Continuing improvement of Missouri River from its mouth to Sioux City, Iowa, including salaries, clerical, office, traveling, and miscellaneous expenses of the Missouri River Commission, surveys, permanent bench marks, and gauges.”

When the Clerk had read the first item,

Mr. HOLMAN said: It is not necessary to read the items; they have already been read. They are part of the sundry civil bill.

The CHAIRMAN. The Chair was inquired of to know whether or not, in this two hours' debate, the five-minute rule was to be observed. The Chair had indicated that the gentleman from Indiana should control the time in opposition to the proposition and the gentleman from Louisiana to control the time in favor of it.

Mr. HOLMAN. I ask that the time be limited to ten minutes.

Mr. BLANCHARD. I think that it had better be under the five-minute rule.

Mr. DOCKERY. And that the recognitions be under the control of the Chair.

Mr. COGSWELL. Do I understand the Chair as saying that the gentleman from Louisiana shall control the time in favor of the proposition, and the gentleman from Indiana shall control the time in opposition?

Mr. HOLMAN. I did not understand the Chair.

The CHAIRMAN. The statement of the Chair was that the time would be limited under the five-minute rule.

Mr. BUCHANAN of New Jersey. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUCHANAN of New Jersey. If I understand it, the gentleman from Indiana has offered a substitute to a portion of the bill under consideration. My question is this: Is it not in order first that the friends of the bill or measure shall perfect it by amendments before a substitute is acted upon?

Mr. BLANCHARD. I do not care to debate the proposition, Mr. Chairman. I ask for a vote.

The CHAIRMAN. No substitute has been offered, as the Chair understands.

Mr. BUCHANAN of New Jersey. I understood that the gentleman from Indiana had offered a substitute.

The CHAIRMAN. The Chair is informed that the gentleman from New Jersey is correct. The gentleman from Indiana [Mr. HOLMAN] has offered a substitute.

Mr. BUCHANAN of New Jersey. Well, my point is that the substitute will have to be reserved until the amendments have been offered and acted upon.

The CHAIRMAN. The Clerk will again report the substitute offered by the gentleman from Indiana.

The substitute was again read.

Mr. COGSWELL. Mr. Chairman, I would like to call the attention of the House to the fact that the gentleman from Indiana [Mr. HOLMAN] is recognized to control the time against his own bill, and a member of the House, not a member of the Committee on Appropriations, is recognized to control the time in favor of the bill. That is all I desire to say.

Mr. BLANCHARD. One word, Mr. Chairman. I have no desire to control the time. If my friend from Massachusetts [Mr. COGSWELL], a member of the committee, desires to control the time, I cheerfully surrender it to him. He and I think alike on these subjects.

Mr. COGSWELL. I make no criticism on the gentleman from Louisiana. The Chair has given him control of the time; but it is rather an anomalous condition of things that the chairman of a committee controls the time against his own bill, while another not a member of the committee controls the time in favor of the bill. [Laughter.]

The CHAIRMAN. The Chair will recognize the gentleman from Massachusetts [Mr. COGSWELL] to control the time in favor of the proposition in the bill.

Mr. CRAIN. A parliamentary inquiry, Mr. Chairman. Is this substitute of the gentleman from Indiana subject to amendment?

Mr. HOLMAN. Certainly it is.

Mr. CRAIN. It is subject to only one amendment.

Mr. HOLMAN. It is subject to any amendment.

Mr. CRAIN. Mr. Chairman, the gentleman from Indiana says that the substitute is subject to amendment—

Mr. BLAND. Mr. Chairman, I hope the point of order will be reserved on that amendment. I think it changes existing law.

Mr. CRAIN. Mr. Chairman, I make the point of order against the substitute.

Mr. HOLMAN. Oh, that comes a little too late.

Mr. CRAIN. Not at all.

Mr. BINGHAM. The substitute has not been read in full.

Mr. HOLMAN. Oh, yes; it was read some time ago.

Mr. BINGHAM. Only in part.

The CHAIRMAN. The point of order is in time.

Mr. SMITH of Illinois. I desire to make a parliamentary inquiry. I desire to ask, in view of the contemplated substitute to be offered by the gentleman from Indiana, whether it is necessary, before that is debated, that gentlemen desiring to amend this provision shall have their amendments pending, or can they afterwards present them?

The CHAIRMAN. Nothing has been done by the committee except to limit debate on the paragraph.

Mr. HEMPHILL. Mr. Chairman, I desire to ask whether the point of order came in time or not, under the decision of the Chair.

The CHAIRMAN. It did.

Mr. HEMPHILL. Well, I think the Chair had better rule the substitute out on the point of order, because this bill seems bound to take up all the time, so that none will be left for any other measure. [Laughter.]

The CHAIRMAN. The Chair is very apt not to rule that out. [Laughter.] However, the point of order is reserved, and the gentleman from Indiana [Mr. HOLMAN] has the floor.

Mr. HOLMAN. Mr. Chairman, I will wish to say a word on the point of order when it comes up for discussion. I now wish to discuss very briefly the pending propositions. The last three years have disclosed a very remarkable policy in regard to river and harbor improvements. The first session of last Congress entered upon a system of contracts for these improvements, mortgaging the future earnings of our people for vast sums of money. I predicted at that time that it would become the most expensive and profligate system ever known in the history of our country, and, earlier than I expected, the fact is realized and we have put our hands to contracts involving \$42,278,300 to be appropriated for and expended in the very early future, a large portion of it to be spent upon works of a questionable character. But the most remarkable feature of this river and harbor business is that while we were assured this system of contracts was in the interest of economy, this House is called upon to appropriate nearly twice as much money as was ever appropriated before for such purposes. With \$17,500,000 already appropriated and now available (if the money was in the Treasury) for 1894, millions more are demanded.

If these appropriations now pending are made we will have appropriated this Congress \$38,091,197, \$21,968,218 the first session and \$16,122,979 this session, while a little over \$25,000,000 is the largest sum ever before appropriated by a single Congress for rivers and harbors.

Gentlemen, is this fulfilling our pledges to the people in favor of economy? When this pernicious policy of contracts in advance was first entered upon in the Fifty-first Congress I felt sure that when the Democrats obtained control of the House that policy would be reversed; but we enlarged upon it; we have appropriated this Congress \$21,968,218 direct and authorized contracts to the amount of \$31,760,521.

The following table shows the effect of this contract system as inaugurated by the Fifty-first Congress and followed by the Fifty-second Congress:

River and harbor contracts authorized, appropriations to date, balances unappropriated, and estimates for 1894.

River or harbor.	Amount authorized	Appropriations to date.	Balance.	Estimates for 1894.
Philadelphia, Pa.	\$3,800,000	\$1,041,000	\$2,759,000	\$500,000
Galveston, Tex.	6,200,000	1,550,000	4,650,000	1,000,000
Hay Lake Channel, St. Marys River, Michigan.	1,884,115	815,000	869,115	500,000
Hudson River, New York	2,200,406		2,200,406	500,000
Great Kanawha River, West Virginia*	1,080,700		1,080,700	500,000
St. Johns River, Florida	284,500		284,500	284,500
Baltimore, Md.	700,000	609,200	800	
Mississippi River, from Ohio River to Minneapolis*	4,875,000		4,875,000	1,625,000
St. Marys River, Michigan	3,738,864	1,500,000	2,238,864	2,000,000
Great Lakes, between Chicago, Duluth, and Buffalo	2,965,000		2,965,000	1,000,000
Canal, cascade of Columbia River, Oregon	1,419,250		1,419,250	1,419,250
Point Judith, Rhode Island*	1,100,000		1,100,000	100,000
Charleston, S. C.	1,953,000		1,953,000	750,000
Savannah, Ga.	2,831,250		2,831,250	1,000,000
Mobile, Ala.	1,181,300		1,181,300	1,000,000
Humboldt, Cal.	1,565,115		1,565,115	522,000
Mississippi River Commission*	7,995,000		7,995,000	2,665,000
Missouri River Commission	2,250,000		2,250,000	750,000
Total	47,883,500	5,605,200	42,278,300	16,115,750

* No contract.

Such is the first effect of the contract system inaugurated by the Fifty-first Congress, independent of the heavy direct appropriations. We have contracts upon our hands involving the enormous sum of \$42,278,300. I wish to call the attention of the committee to this fact—and I appeal to gentlemen on this side of the House, who, I hope, are interested in the character that this Congress is to have before our country, that for the first time we are called upon to appropriate the whole sum of money named by the Chief of Engineers. We have never done it before. Take, for instance, the last two sessions of Congress. For rivers and harbors, under contract for 1892, last year, for Philadelphia, Baltimore, Galveston, St. Marys River, and Hay Lake

Channel, the amount estimated by the Chief of Engineers was \$4,096,000, while Congress appropriated for those works only \$1,951,200. We did not appropriate half the amount of the estimates.

Now, take the year 1893—the present fiscal year. For Hay Lake Channel, St. Marys River, Philadelphia, Baltimore, and Galveston the estimate was \$4,208,800, while we appropriated only \$814,000. Yet we are now called upon to appropriate the whole of this vast sum of \$16,122,979, every dollar estimated for by the Chief of Engineers, and gentlemen seem determined to appropriate the whole estimate.

I shall ask to incorporate in my remarks this statement of the War Department as to the effect of this contract system. These contracts amount altogether to \$47,883,500. We have appropriated up to this time \$5,605,200, leaving yet to be appropriated for and expended the enormous sum of \$42,278,300, a sum nearly approaching the whole of the regular annual expenses of the Government only forty years ago.

Yet now, for this river and harbor service, involving, generally, interests quite local in their character, beneficial to the few in comparison with the many, we are compelled by combinations to appropriate these vast sums of money. Men grow rich on contracts, and the great mass of our people bear the burden with unimportant benefits. Yet the subject excites no more interest than if the sums involved here were a mere bagatelle.

[Here the hammer fell.]

Mr. HOLMAN. I ask to occupy five minutes more.

Mr. BLANCHARD. I hope there will be no objection.

There was no objection.

Mr. HOLMAN. I wish now to take up some of these items and show how we are appropriating money. Take the Hudson River. For the work there this bill embraces an appropriation of half a million dollars. How much money is now on hand? The amount of the contract under the law of July 13, 1892, was \$2,447,906. You have appropriated already \$187,500; and you had an unexpended balance of appropriation December 1, 1892, amounting to the large sum of \$204,733.98.

Yet with this unexpended balance on hand the 1st day of last December you are now proposing to appropriate \$500,000. Take another work of this class—the Great Kanawha River. I believe the contract for that work has not even been made. I hope gentleman will notice this extraordinary fact; the contract has not yet been made; and there was on the 1st day of December last an unexpended balance of \$335,056.25. Yet you are proposing to appropriate in this bill half a million dollars more.

Take another item—the St. Johns River, Florida. For this work there was on the 1st day of last December an unexpended balance of \$144,660.69. Yet it is proposed to appropriate by this bill for this work \$284,500. For the work on the Mississippi River, there was on the 1st day of last December an unexpended balance of \$547,800—over half a million dollars. Yet this bill carries for that work an appropriation of \$758,333.33.

Take another item—that for the Mississippi River from the mouth of the Missouri to Minneapolis, where your improvements do not amount to anything. You might just as well take that money and distribute it among the people of that section of the country as to pretend to be expending it on the improvement of that stream.

Mr. BLANCHARD. Is the gentleman giving his own opinion or that of the engineers?

Mr. HOLMAN. Let the gentleman put that question to Gen. Casey. I have traversed that river from Fort Benton to its mouth; I have traversed portions of it over and over again; and in my judgment Gen. Casey himself will not say that your improvements will improve. For the work on that stretch of river where there is no commerce—not a boat running, except casually here and there; none above Sioux City, and no regular lines below, there being a railroad on both sides of the river—there was on the 1st day of last December an unexpended balance of \$551,705.95; yet you are proposing to appropriate in this bill \$866,666.67.

Why, Mr. Chairman, in the whole history of nations was there ever such profligacy as this?

Mr. PICKLER. This bill does not give any above Sioux City?

Mr. HOLMAN. Why, yes; it goes away up to Fort Benton.

The unexpended balance of the appropriation for St. Marys River on the 1st of last month was \$1,488,935.86, or nearly a million and a half of dollars, yet this bill carries \$2,000,000 for that work. Why, gentlemen, where are we drifting? Is it possible that the representatives of the people are totally indifferent to this state of things?

The CHAIRMAN (Mr. ALDERSON in the chair). The time of the gentleman has expired.

Mr. HOLMAN. I ask to incorporate in the RECORD the documents I hold in my hand.

The CHAIRMAN. The Chair hears no objection.

Mr. COGSWELL. Do I understand that we are under the five-minute rule?

The CHAIRMAN. That was the understanding, as the Chair is informed.

Mr. COGSWELL. I understood that we had agreed to a sort of general debate of two hours, and that under those circumstances the five-minute rule would not apply.

The CHAIRMAN. The Chair is informed that the question was submitted to the committee and the five-minute rule agreed upon.

Mr. HOLMAN. That is correct.

I ask to print in the RECORD the documents to which I have referred.

The CHAIRMAN. Consent has been given.

The statement referred to by Mr. HOLMAN is as follows:

IMPROVING HUDSON RIVER, NEW YORK.

Amount covered by this bill..... \$500,000.00
Amount of contract authorized by law of July 13, 1892..... 2,447,503.00
Amount of appropriations made to date for the work under continuing contract..... 187,500.00
Unexpended balances of appropriations December 1, 1892..... 204,733.98
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 333,000.00

The Secretary of War, November 16, 1892, awarded contract for dike construction and dredging to Edwards, Howlett & Thompson, and contract for rock removal to P. Sanford Ross. Under the specifications the total amount of work per year shall amount to \$500,000.

IMPROVING GREAT KANAWHA RIVER, WEST VIRGINIA.

Amount covered by this bill..... \$500,000.00
Amount of contract authorized by law of July 13, 1892..... 1,305,700.00
Amount of appropriations made to date for the work under continuing contract..... 225,000.00
Unexpended balances of appropriations, December 1, 1892..... 335,056.25
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 333,000.00

Contracts have not yet been entered into for completion of the work, the preparation of the drawings and specifications not having been completed.

IMPROVING ST. JOHNS RIVER, FLORIDA.

Amount covered by this bill..... \$284,500.00
Amount of contract authorized by law of July 13, 1892..... 397,000.00
Amount of appropriations made to date for the work under continuing contract..... 112,500.00
Unexpended balances of appropriations December 1, 1892..... 144,660.69
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 190,000.00

Proposals were opened October 15, 1892. On October 29, 1892, the Secretary of War awarded contract to I. H. Hathaway & Co. The specifications require the contractor to earn at least \$120,000 per year.

MISSISSIPPI RIVER FROM THE MOUTH OF THE OHIO RIVER TO MOUTH OF THE MISSOURI RIVER.

Amount covered by this bill..... \$758,333.33
Amount of contract authorized by law of July 13, 1892..... 2,800,000.00
Amount of appropriations made to date for the work..... 525,000.00
Unexpended balance of appropriations December 1, 1892..... 547,800.00
Amount that can be expended between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 569,000.00

Improvement of Mississippi River between Missouri and Ohio Rivers is not executed by contract except purchase of material and plant, and no contracts are outstanding for this work under proposed appropriation for fiscal year ending June 30, 1894.

MISSISSIPPI RIVER FROM MOUTH OF MISSOURI RIVER TO MINNEAPOLIS.

Amount covered by this bill..... \$866,676.67
Amount of contract authorized by law of July 13, 1892..... 3,200,000.00
Amount of appropriations made to date for the work..... 600,000.00
Unexpended balances of appropriations December 1, 1892..... 551,705.95
Amount that can be expended between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 578,000.00

The balance unexpended is sufficient to cover existing contracts, which amount to \$362,661.48. All such contracts expire in 1893; balance will be expended during present fiscal year unless conditions of river are very unfavorable for work. No additional contracts for work under future appropriations yet provided for. It is proposed to let in the near future provisional contracts for work during 1894; large part of work is carried by days' labor and Government plant. Amount to be so expended depends on appropriation made by act of Congress.

IMPROVING ST. MARYS RIVER AT THE FALLS, MICHIGAN.

Amount covered by this bill..... \$2,000,000.00
Amount of contract authorized by law of September 19, 1890..... 3,738,865.00
Amount of appropriations made to date for the work under continuing contract..... 1,500,000.00
Unexpended balances of appropriations December 1, 1892..... 1,488,935.86
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 500,000.00

The contract for the construction of the 800-foot lock walls was entered into February 9, 1891, and the work is to be completed by November 15, 1893. Contracts for deepening the canal prism by excavation were entered into July 14, 1892. The work has been divided into two sections and operations have been begun on both, to be completed by June 30, 1894.

IMPROVING HAY LAKE CHANNEL, ST. MARYS RIVER, MICHIGAN.

Amount covered by this bill..... \$500,000.00

Amount of contract authorized by law of September 19, 1890..... 1,684,115.00
Amount of appropriations made to date for the work under continuing contract..... 815,000.00
Unexpended balances of appropriations December 1, 1892..... 432,059.41
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 125,000.00

This work has been divided into six sections, and contracts were entered into February 6, 1891, for each of these sections. The contracts require the entire channel to be completed by November 30, 1893.

IMPROVING CHANNEL CONNECTING THE WATERS OF THE GREAT LAKES BETWEEN CHICAGO, DULUTH, AND BUFFALO.

Amount covered by this bill..... \$1,000,000.00

Amount of contract authorized by law of July 13, 1892..... 3,340,000.00
Amount of appropriations made to date for the work under continuing contract..... 375,000.00
Unexpended balances of appropriations December 1, 1892..... 374,433.05

Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 400,000.00

Contract for completing the work not yet entered into. Proposals have been invited, to be opened December 9 to 17, 1892. Under the approved specifications work is to be commenced May 15, 1893, and completed in three working seasons. At least one-fifth of funds provided to be earned the first season, at least three-fifths by the end of the second season, and the work to be completed the third season.

No work done.

IMPROVING CANAL AT THE CASCADES OF THE COLUMBIA RIVER, OREGON.

Amount covered by this bill..... \$1,419,250.00

Amount of contract authorized by law of July 13, 1892..... 1,745,500.00
Amount of appropriations made to date for the work under continuing contract..... 8336,250.00

Unexpended balances of appropriations in Treasury December 1, 1892..... 326,250.00
Amount that can be expended under contract between December 1, 1891, and March 1, 1894, less unexpended balance available December 1, 1892..... 946,000.00

Proposals for the whole work were invited and opened November 15, 1892. December 7, 1892, the Secretary of War awarded contract to J. G. & L. N. Day, the lowest bidders. The approved specifications require the work to be conducted at such a rate that the contractor may earn each of the appropriations for the work within one year from date of approval of the original contract, or within one year from the date of each subsequent act of appropriation.

HARBOR OF REFUGE AT POINT JUDITH, RHODE ISLAND.

Amount covered by this bill..... \$100,000.00

Amount of contract authorized by law of July 13, 1892..... 1,175,000.00
Amount of appropriations made to date for the work under continuing contract..... 75,000.00

Unexpended balances of appropriations December 1, 1892..... 75,750.22
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 100,000.00

No contract yet made.

IMPROVING HARBOR AT PHILADELPHIA, PA.

Amount covered by this bill..... \$500,000.00

Amount of contract authorized by law of September 19, 1890..... 3,300,000.00
Amount of appropriations made to date for the work under continuing contract..... 541,000.00
Unexpended balances of appropriations December 1, 1892..... 539,942.02

Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 333,000.00

Contract approved April 28, 1891, provides for the complete execution of the work. The contractor must carry on the work as rapidly as may be desired by the engineer officer in charge, but he will not be required to remove by dredging more than 400,000 cubic yards of material during any one calendar month.

IMPROVING HARBOR AT CHARLESTON, S. C., INCLUDING SULLIVAN ISLAND AND MOUNT PLEASANT SHORE.

Amount covered by this bill..... \$750,000.00

Amount of contract authorized by law of July 13, 1892..... 2,178,000.00
Amount of appropriations made to date for the work under continuing contract..... 225,000.00

Unexpended balances of appropriation December 1, 1892..... 216,807.18
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 500,000.00

The contract approved October 14, 1892, provides for the completion of the work on or before November 10, 1895. The contractor is required to earn \$540,000 per year.

IMPROVING HARBOR AT SAVANNAH, GA.

Amount covered by this bill..... \$1,000,000.00

Amount of contract authorized by law of July 13, 1892..... 3,150,000.00
Amount of appropriations made to date for the work under continuing contract..... 318,750.00

Unexpended balances of appropriation in Treasury December 1, 1892..... 275,975.00
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892..... 607,000.00

Two contracts have been entered into—one for construction of jetties, training walls, etc., approved November 9, 1892, and one for dredging, etc., approved November 22, 1892. Operations were begun in October, 1892. The contractors are required to earn at least \$1,000,000 per year.

IMPROVING HARBOR AT MOBILE, ALA.

Amount covered by this bill..... \$1,000,000.00

Amount of contract authorized by law of July 13, 1892	1,393,800.00
Amount of appropriations made to date for the work under continuing contract	212,500.00
Unexpended balances of appropriation in Treasury December 1, 1892	192,500.00
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892	667,000.00
Contract for completion was entered into October 10, 1892. Contractor is required to earn at least \$500,000 per annum.	

IMPROVING HARBOR AT GALVESTON, TEX.

Amount covered by this bill	\$1,000,000.00
Amount of contract authorized by law of September 19, 1890	6,200,000.00
Amount of appropriations made to date for the work under continuing contract	1,550,000.00
Unexpended balances of appropriation December 1, 1892	888,177.15
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892	667,000.00

Contract approved June 2, 1891. The contractor is required to earn not less than \$1,000,000 per year.

IMPROVING HARBOR AND BAY AT HUMBOLDT, CAL.

Amount covered by this bill	\$522,000.00
Amount of contract authorized by law July 13, 1892	1,715,115.00
Amount of appropriations made to date for the work under continuing contract	150,000.00
Unexpended balances of appropriations, December 1, 1892	177,111.00
Amount that can be expended under contract between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892	348,000.00

Proposals were opened November 14, 1892, and the contract was awarded December 10, 1892, to John C. Bull, Jr., the lowest bidder.

The approved specifications require the contractor to earn \$175,000 by October 15, 1893, and thereafter not less than \$300,000 per year.

IMPROVING THE MISSISSIPPI RIVER FROM HEAD OF THE PASSES TO MOUTH OF THE OHIO RIVER, ETC.

Amount covered by this bill (commission)	\$2,665,000.00
Amount of contract authorized by law of July 13, 1892	9,995,000.00
Amount of appropriations made to date for the work	2,000,000.00
Unexpended balances of appropriations in Treasury December 1, 1892	1,983,477.96
Amount that can be expended between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892	2,665,000.00

The work of improvement under this appropriation is carried on by contract and by hired labor; no contracts have been made for work during fiscal year ending June 30, 1894, but it is expected that the district officers will ask for bids for such contracts at once.

MISSOURI RIVER FROM ITS MOUTH TO SIOUX CITY.

Amount covered by this bill (commission)	\$750,000.00
Amount of contract authorized by law of July 13, 1892	2,850,000.00
Amount of appropriations made to date for the work	600,000.00
Unexpended balances of appropriations December 1, 1892	480,000.00
No contract work contemplated under current appropriations, or an estimate for fiscal year ending June 30, 1891.	
Amount that can be expended between December 1, 1892, and March 1, 1894, less unexpended balance available December 1, 1892	500,000.00

Mr. COGSWELL. I yield now five minutes to the gentleman from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Chairman, I hold in my hand a statement which the gentleman from Indiana proposes to insert in the RECORD as a part of his remarks, and in that statement, referring to Galveston Harbor, it is shown that the sum of \$888,177.15 is yet unexpended.

Now, the gentleman from Indiana called for another statement from the Department, which he undoubtedly has in his possession, and which will show a very different state of facts in regard to these rivers and harbors.

Mr. HOLMAN. The gentleman has access to the same statement. I propose, however, to put it in the RECORD.

Mr. SAYERS. I wish to correct the gentleman's figures. Instead of there being \$888,177.15 to the credit of Galveston Harbor, the Chief of Engineers says, under date of January 28—a few days ago—that there was available for Galveston on January 1, deductions being made for earnings and liabilities in December not yet paid, and for percentages deducted from the contractors which they are entitled to call for at the expiration of the works, \$533,000, which is a very different sum from that stated by the gentleman from Indiana. So that he has put deliberately on record as being to the credit of Galveston Harbor more than \$300,000 above what was actually on hand and to its credit.

Mr. HOLMAN. Does the gentleman dispute the statement which he holds in his hand?

Mr. SAYERS. I dispute it, sir, when used for the purpose for which you read it, and the gentleman knows that it is not a fair statement of fact to this committee.

Mr. HOLMAN. Here is the further statement to which the gentleman has referred. Let me read that.

Mr. SAYERS. Ah! That is the one I am after.

Mr. HOLMAN. I furnish it with pleasure to the gentleman. [Holding the paper.]

Mr. SAYERS. Now, the statement put into the RECORD by the gentleman from Indiana [Mr. HOLMAN] shows, as I have

said, \$888,177.15 to the credit of Galveston Harbor. The gentleman has put that statement on record.

Mr. HOLMAN. I am putting a public document on the record.

Mr. BLANCHARD. Why does not the gentleman from Indiana put the other statement in?

Mr. HOLMAN. I have no objection to putting it in, but the gentleman knows that my time had expired before I had finished what I was saying.

Mr. SAYERS. Then I desire to read the telegram which the gentleman has handed me. It will show that there is a very considerable difference in these statements:

WASHINGTON, D. C., January 29, 1893.

Hon. WILLIAM S. HOLMAN,
House of Representatives, City:

There was available on January 1 the following amounts for the following works after deductions are made for liabilities incurred and contractors' earnings in December, not paid for, and percentages retained from contractors and not paid to that date: Cascades Canal, \$331,612; Charleston, S. C., \$79,542; Galveston, \$533,316—

Instead of over \$800,000, as appears from the statement of the gentleman from Indiana.

This telegram further says:

Hay Lake Channel, \$289,159.

Mr. HOLMAN. If there is a discrepancy, how do you account for it? This is from the same gentleman.

Mr. SAYERS. I will give the reason why, and the gentleman knows it. He is not dealing fairly with this committee. Gen. Casey stated to the gentleman from Indiana [Mr. HOLMAN] in my presence that the statement made by him, Gen. Casey, only included actual expenditures, and did not include unpaid earnings for the previous month, nor did it include the reservation of 10 per cent of the earnings which the Government under the contracts hold in trust for the benefit of the contractors, and which belongs to them as having already been earned.

Mr. HOLMAN. Will my friend read that statement of what he said?

Mr. SAYERS. You know what he said. Do you deny it? Will you rise here and deny the statement?

Mr. HOLMAN. Oh, do not talk to me in that way, sir.

Mr. SAYERS. I make the statement, and you will not deny it.

Mr. HOLMAN. I have no occasion to admit or deny it.

Mr. SAYERS. I know it to be true.

Mr. HOLMAN. I treat my colleagues like gentlemen. I do not treat them in any other way.

Mr. SAYERS. Well, I do not wish a statement made here which would show that the Committee on Appropriations have been guilty of undue extravagance. The gentleman has denounced it.

Mr. HOLMAN. Yes, that is correct.

Mr. SAYERS. I trust the members of this committee will listen to the statement by Gen. Casey as to these amounts:

Hudson River, \$184,766.
Humboldt Bay, \$176,950.
Hay Lake ship canal, \$374,316.
Point Judith, \$75,000.
St. Johns Bar, \$112,000.
Philadelphia, \$585,000—

Mr. HOLMAN. And no contract.

Mr. SAYERS (reading)—

St. Marys River canal, \$1,188,071.

Savannah Harbor, \$168,058.

Great Kanawha, \$200,000.

CASEY,
Chief of Engineers.

These are all the moneys that the Chief of Engineers will have for the purpose of continuing these works until the 1st day of July next.

Mr. HOLMAN. How much does he say for the St. Marys River?

Mr. SAYERS. One million one hundred and eighty-eight thousand six hundred and seventy-one dollars.

Mr. HOLMAN. Here he says \$1,188,000.

Mr. SAYERS. This is a reduction.

Mr. HOLMAN. I know, a small reduction.

Mr. SAYERS. This committee ought to be acquainted with the facts.

Mr. BINGHAM. Will not the gentleman emphasize the fact that the testimony from which the gentleman from Indiana [Mr. HOLMAN] quotes was given December 17 and this telegram is a recent one.

Mr. SAYERS. The testimony was given in December and this telegram is a later one.

Mr. HOLMAN. A month's time has intervened. I stated that the statement of Gen. Casey was in December.

Mr. SAYERS. I admit, Mr. Chairman, that this is a large appropriation, but the Chief of Engineers was before the committee, and in the presence of the gentleman from Indiana [Mr. HOLMAN] and myself he stated that except the single estimate

for Mobile Bay—which he said ought to be \$500,000 instead of \$1,000,000—all of these estimates ought to be appropriated for.

For instance, in my own State take the harbor immediately represented by my colleague [Mr. CRAIN]. The Chief of Engineers said he should have to have a million of dollars or the work on Galveston Harbor would have to stop before the expiration of the next fiscal year. One jetty has already been completed, and this has secured an increase of water at mean low tide of two and a half feet.

Mr. CRAIN. And they have begun the other.

Mr. SAYERS. They are beginning the other jetty; and so with all the appropriations referring to river and harbor works in this bill.

And I will say further that I stand by this appropriation from the beginning to the end, not only for those pertaining to my own State and to my own immediate section of the country, but all over the country—in New York, in Michigan, in Iowa, in California, in Oregon, in Missouri, in Ohio, and along the great stretch of the Mississippi River.

The gentleman from Indiana [Mr. HOLMAN] says these appropriations are wrong. Why, there were appropriations for this very same purpose, only for a limited number of these works, upon the sundry civil bill at the last session of the present Congress.

Mr. CRAIN. And no objection was made.

Mr. SAYERS. Did anyone hear the gentleman from Indiana [Mr. HOLMAN] or anyone else upon this floor urge a single objection to the appropriation appearing upon that bill?

But the gentleman from Indiana [Mr. HOLMAN] makes another statement, that we give to these works the full amount estimated for by the Chief of Engineers, which was not done at the last session of the present Congress.

Mr. HOLMAN. Not at any time in former years.

Mr. SAYERS. Why was it not done? It was because the Committee on Appropriations, upon examination, found that there were large credits to all these rivers and harbors, and that the money asked for, or rather stated by the Chief of Engineers as a proper expenditure, was not necessary.

These amounts of money can be properly expended during the next fiscal year, or a greater portion of it, and unless Congress makes the appropriation the contractors will suffer and the work lie idle and go to waste.

Mr. BLANCHARD. Mr. Chairman, I ask the gentleman from Massachusetts [Mr. COGSWELL] to yield me ten minutes, and if I shall not conclude in that length of time to add five minutes more to it?

Mr. COGSWELL. All right.

Mr. BLANCHARD. Mr. Chairman, the gentleman from Indiana [Mr. HOLMAN] has given to the House a statement of amounts on hand to the credit of the various projects of river and harbor improvements, but he neglected to say that these amounts so on hand were appropriated by law for the present fiscal year, whereas the appropriations in the present bill to meet payments on the river and harbor contracts are for the coming fiscal year.

Now, Mr. Chairman, relative to the objections that the gentleman from Indiana urges to these appropriations, I have undertaken to obtain the status existing in reference to each of these contract projects. I ask the attention of the House while I read a statement, showing the remarkable saving to the Government of the United States by the contract system over the old system of appropriating money every two years upon the regular river and harbor act. Those of us who urged in the first session of this Congress the adoption of the contract system as the policy of the Government, contended that it would result in a saving from 25 to 33½ per cent upon the amounts estimated to complete these several improvements; and what we then announced to the House is verified, as is shown by this paper which I hold in my hand.

The gentleman from Indiana bases all his attacks upon appropriations from the public Treasury on the allegation that they are wasteful and extravagant, and yet when it is pointed out to him that the contract system for river and harbor improvement results in a great saving of expense to the Government, he still continues his opposition to the policy which was adopted by two Congresses and confirmed by one of the great political parties of the country.

This is the statement:

RÉSUMÉ RELATIVE TO CONTRACTS AUTHORIZED TO BE ENTERED INTO, PAYMENT TO BE MADE AS APPROPRIATIONS MAY FROM TIME TO TIME BECOME AVAILABLE BY LAW.

Hudson River, Coxsackie to Troy.

Estimated cost \$2,477,806.00
The act of July 13, 1892, appropriated the sum of \$187,500, and authorized contracts to be entered into to complete, not to exceed in the aggregate the above sum.

The work has been let in two parts, the aggregate of the lowest bids for the estimated quantities being 2,152,642.50

There will be work required outside these two lettings estimated to cost 50,000.00
Total 2,202,642.50
This leaves a balance of 242,263.50

Philadelphia Harbor.

Estimated cost, \$3,500,000. Contract was made for this at 10½ cents per cubic yard. The average cost of dredging in the vicinity, to include ten years previous to the letting, was about three times this price per cubic yard, the work being let by partial contracts. This contract has been annulled because of slow progress. The work has again been advertised, but new bids are not yet received.

Baltimore Harbor.

The act of September 19, 1890, appropriated \$360,000 for the work and authorized contracts to be made for completion, "to be paid for as appropriations may from time to time be made by law." Under this authority a contract for the whole work was let at a rate of 15½ per cent less than the average prices for the previous ten years under the system of intermittent contracts. The sundry civil act of March 3, 1891, appropriated \$151,200 to continue payments, and the sundry civil act of August 5, 1892, appropriated \$208,000 to complete. The work is now finished.

Charleston Harbor, South Carolina.

The act of July 13, 1892, appropriated \$225,000, and authorized contracts to complete the work, "to be paid for as appropriations may from time to time be made by law," not to exceed in the aggregate, inclusive of the amount appropriated as above, the sum of \$2,178,000, that being the estimated cost to complete. The work has been let for the aggregate sum of \$1,884,000 on the estimated amount of materials necessary to carry the jetties out to the estimated length, leaving a balance of \$294,000.

Savannah Harbor, Georgia.

The act of July 13, 1892, authorized contracts to complete, aggregating \$3,150,000, that being the estimated sum necessary for such completion. Work has been let in two contracts: one for all the jetty work and one for all the dredging. These contracts aggregate \$2,900,500, and are, therefore, inclusive of contingencies safely within the estimate for the amount of work regarded as necessary.

Amount authorized \$3,150,000
Amount of contracts 2,906,500

Balance left 243,500

St. Johns River, Florida.

The act of July 13, 1892, authorized contracts to complete to aggregate \$397,500, that being the estimated cost to complete. One contract has been made for the entire work, and it is expected that the total expenditure will absorb the entire appropriation, unless experience shall show that less than the estimated quantity of work will produce the required result.

Mobile Harbor, Alabama.

The act of July 13, 1892, authorized contracts aggregating \$1,333,800, the same being \$50,000 less than the estimate for completion. One contract for the whole work has been made at the low price of 7½ cents per cubic yard, 8 per cent less than the price under the preceding contract, with an appropriation of \$350,000, and 14 per cent less than the price under which work was performed at the time the estimate was made.

Galveston, Tex.

The act of September 19, 1890, authorized contracts for the whole work. At one letting, the lowest bidder failed to enter into contract. The work was again advertised and operations are now being carried on under a contract made with the lowest bidder. The ultimate cost will depend on the length to which it may be found necessary to extend the jetties; but the loss by partial contracts would be large, in quantity, in prices, and in the measure of success.

Humboldt Bay, California.

The act of July 13, 1892, authorized contracts to complete to the aggregate amount of \$1,715,115; that being the estimated cost. One contract for the whole amount of work estimated as required has been let at prices which will aggregate for that amount of work the sum only of \$740,600.

Amount authorized \$1,715,115
Amount of contract 740,600

Balance left 974,455

Mr. OUTHWAITE. Will the gentleman yield to me for a question?

Mr. BLANCHARD. Certainly.

Mr. OUTHWAITE. Is not that quite as much a reflection upon the accuracy of the estimates as it is an argument?

Mr. BLANCHARD. Why, not at all, Mr. Chairman.

These estimates were made by the Bureau of Engineers, based upon the intermittent appropriations made upon the river and harbor bill, coming only once in every two years. They estimated that if that policy continued it would take this amount, and it would have taken that or more.

But, when we come to the more economical policy of continuous work, it takes for this project at Humboldt Harbor nearly \$1,000,000 less than the estimate given by the engineers under the old system. And as suggested by my friend who represents the Humboldt district, at the time when these estimates were made for this large sum to complete that work, there was no idea on the part of the War Department or the Engineer's Bureau, that the wise policy of continuous work under contracts would be adopted by Congress.

I now come to the—

Cascades Canal.

The act of July 13, 1892, authorized contracts to the amount of \$1,746,500, the estimate for completion. A contract for the entire work has been made aggregating for the estimated quantities the total of \$1,521,255.

Here there is a saving of \$225,235.

St. Marys Falls Canal.

The act of September 19, 1890, authorized contracts to be entered into to complete the work. Several contracts have so far been made, but several

more are to be entered into and advertised for, and therefore a summary statement of the whole can not yet be made. The prices so far obtained for the portions let indicate that the work will be performed within the estimate.

Now, I wish to call attention particularly to the—

Hay Lake Channel, St. Marys River.

The act of September 19, 1890, authorized the making of contracts to complete the entire work. Contracts have been made for all the work, and it is expected that the work will be completed for a sum fully \$900,000 within the estimated cost of the work.

Mr. CHAIRMAN, think of that! By the adoption of this contract system at this one locality—Hay Lake Channel is the connecting waters of the Great Lakes—there is a saving of \$900,000!

Take now another project on the Great Lakes, the project for a ship channel through the shoals of the connecting waters, and we find this remarkable exhibit:

Ship channel in the Great Lakes.

The project was estimated to cost \$3,340,000, and the act of July 13, 1892, authorized contracts to be entered into for that amount. Contracts are now made for the whole, and they aggregate, for the estimated quantities, the sum total of only \$1,303,434.38.

Here we have a saving at this one locality of about \$2,000,000.

It is a very remarkable illustration, Mr. Chairman, of the economy of this continuous work system, known as the "contract system," as compared with the old intermittent system which obtained formerly in river and harbor bills. Mr. Chairman, with such showings as these, is it possible that any gentleman on this floor, having at heart the interests of the Government, and having at heart economy in the expenditure of the public revenue, can hesitate for a moment to give his vote to sustain a policy so wise and so economical as this one is shown to be?

But further, Mr. Chairman, the gentleman from Indiana [Mr. HOLMAN] has sent up a substitute, in which it is proposed to reduce the amount required to meet these payments under this contract in the next fiscal year from what is in the bill to only \$8,000,000. Now, if this House were to adopt the substitute of the gentleman from Indiana, do you know, sir, what would result? There would result a defalcation on the part of the Government in meeting its contract liabilities during the next fiscal year. I hold in my hand a statement showing the amounts required under some of the contracts entered into by the Government to meet payments in the next fiscal year. Under the substitute offered by the gentleman from Indiana, only half of this money would be provided; and, I repeat, the Government would be put in the attitude of defaulting on one-half of its sacred contract liabilities.

[Here the hammer fell.]

Mr. BLANCHARD. I should like a few minutes more time.

Mr. COGSWELL. How much more do you want?

Mr. BLANCHARD. About three minutes.

Mr. COGSWELL. I yield the gentleman three minutes more.

Mr. BLANCHARD. For instance, Mr. Chairman, the contract at Galveston, Tex., calls for an amount of work to be done there in the next fiscal year aggregating \$1,000,000, and the contractor has undertaken to do that much work. This bill appropriates \$1,000,000 to meet that obligation; but the gentleman from Indiana [Mr. HOLMAN] proposes to reduce that amount one-half. Again, for St. Mary's River \$2,000,000 is required by the contract, and that sum is the amount that this bill carries. The Great Lakes Ship Channel requires \$600,000 under the contract as the minimum amount for those works, but it is expected that they can earn \$1,000,000. The Hay Lake Channel requires half a million dollars, which is the amount that is in the bill.

Take Savannah. The contract there calls for work to cost \$1,000,000 in the next fiscal year; and this bill carries for that work \$1,000,000. I hold in my hand a letter which I will embody in my printed remarks, which shows that more than that sum could be expended there in the next fiscal year.

Here is the letter:

WASHINGTON, D. C., January 26, 1893.

DEAR SIR: Having had intimation that the amount in the sundry civil bill, for continuing the improvement of harbor of Savannah, Ga., \$1,000,000 might be objected to as being more than could be advantageously used, I would say, as contractor for the dredging, etc., that with our plant we alone could work out the above amount by June 30, 1894, although the jetty contractors on this improvement would no doubt absorb at least one-half the appropriation.

Very respectfully yours,

P. SANFORD ROSS, Contractor.

Hon. N. C. BLANCHARD,
House of Representatives.

For the Hudson River, the contract calls for \$500,000 work for the next fiscal year, and that is the amount which this bill carries. For the harbor at Philadelphia the contracts cover whatever 400,000 cubic yards per month may amount to. For the Cascades of the Columbia River, Oregon, the contract covers as much as may be appropriated. The contractor is under obligation to the Government to do as much work there as Congress appropriates money for. Hence, whatever may be the appropriation

for that project the contractor is bound to earn it by the work to be done there in the next fiscal year.

Mr. HERMANN. And he has already entered upon the performance of the contract?

Mr. BLANCHARD. Yes, he has already entered upon the execution of the contract.

The case is the same, Mr. Chairman, with reference to all these different amounts, save the one for Mobile River, which my friend who represents the Mobile district has asked to have reduced to the amount which the contract calls for. With this exception the amount proposed to be appropriated for each of these localities by this bill is what the contractor is under obligations to the Government to earn in the next fiscal year.

Mr. HERMANN. Can the gentleman state the aggregate amount of the saving effected under the separate items which he has read?

Mr. BLANCHARD. I have not made the footing; but it is easy to do so.

Mr. HERMANN. Does not the saving amount on the average to about 33½ per cent all along the line?

Mr. BLANCHARD. It is about that.

Mr. HOLMAN. Inasmuch as no other gentlemen seem desirous to discuss this subject, I ask unanimous consent that the debate be now closed and that gentlemen have leave to print remarks in the RECORD upon this question.

Mr. SMITH of Illinois. I object to that, because I have an amendment which I desire to offer and discuss. I send my amendment to the desk.

The Clerk read as follows:

On page 67, in line 20, strike out the words "and thirty-three cents" and insert the following: "Of which amount the sum of \$75,000, or so much thereof as may be necessary, shall be used for the preservation and improvement of the channel and harbor at Chester, Ill."

Mr. COGSWELL. I make a point of order on that.

Mr. BLANCHARD. I am constrained to make a point of order against the amendment.

Mr. SMITH of Illinois. What is the point of order?

Mr. BLANCHARD. I make the point of order that this is a new work not authorized by existing law. I will say to my friend from Illinois [Mr. SMITH] that if we are going to tack on to this sundry civil bill, in the way of amendments, additional appropriations for localities other than those for which contracts have been made, we are going to break down this whole contract system. There is no law authorizing any expenditure at the locality named in the amendment. Therefore the point of order is necessarily good against the proposition.

Mr. SMITH of Illinois. Mr. Chairman, I do not think the point of order is well taken. This amendment does not propose to increase the appropriation. As a matter of fact it reduces the amount carried by the bill. And I insist that this does not propose any diversion of the funds to be expended. I insist that there are no contracts in existence for this work from the mouth of the Ohio River to the mouth of the Missouri River. In support of this statement I wish to read a couple of telegrams. Yesterday, not being able to procure from members of the committee information as to whether or not the work to be done on the Mississippi River between the mouth of the Ohio and the mouth of the Missouri was under contract, I telegraphed to Gen. Casey, the Chief of Engineers, as follows:

Has all the work of improvement of the Mississippi River from the mouth of the Ohio to the mouth of the Missouri been placed under contract, or is any portion of the work done immediately by the Government?

To that inquiry I received the following reply:

Hon. GEORGE W. SMITH, *House of Representatives.*

Work for improving Mississippi from the mouth of the Ohio to the mouth of the Missouri is performed by hired labor, not being of the kind that can be advantageously contracted for. Some contracts are in force for supplying material and plant.

CASEY, *Chief of Engineers.*

Now, if there are not contracts in existence which would render this amendment subject to the point of order, I insist that as the amendment retrenches expenses, reduces the amount carried by the bill, and as it is not in violation of any existing contract, I have a perfect right to ask that a certain amount of this money be applied for the improvement of this particular harbor and the channel connected with it. It is a work of necessity, and I had hoped the point of order would not be urged against the amendment.

It is a fact that this is the only harbor of safety between St. Louis and Cairo on the Mississippi River, and during the months when we have ice in the river that point is full of boats lying there for safety, and almost every pilot, captain, and river man on that portion of the Mississippi River has petitioned, requested, urged, and pleaded for this work, and I have affidavits from various river men which I hold in my hand asking that a portion of this money be set apart for the preservation of this harbor and restoring the channel to the Illinois side.

Now, Mr. Chairman, unless this work is done, and done soon, the harbor will be completely destroyed, and there will be no harbor there and no place of refuge for boats between St. Louis and Cairo in cases where a harbor of refuge is a matter of necessity. And I will repeat for emphasis, that as this reduces the amount carried by the bill, and is not in violation of any contract now in existence, the point of order of the gentleman from Louisiana is not well taken, and the amendment, I insist, should be adopted.

It is in the interest of river and harbor improvements; in the interest of the people of the country through which this great river runs; in the interest of those who inhabit the great Mississippi Valley, and in the interest of hundreds of steamers plying up and down that river that they can have a place where they can be protected against the ice during that period.

[The CHAIRMAN (Mr. LESTER of Georgia) here resumed the chair.]

Mr. BLANCHARD. Mr. Chairman, the point of order was raised against that amendment in the absence of the present occupant of the chair, to the effect that it changed existing law; that there was no law authorizing the expenditure of \$75,000, or whatever the amount is, at that particular harbor on the Mississippi River; that it was a diversion of money needed to meet payments under contract for work being done elsewhere, and that it was not in order on this bill.

Mr. SMITH of Illinois. I believe the present occupant of the chair did not hear my argument.

The CHAIRMAN. The Chair heard the gentleman.

Mr. SMITH of Illinois. Did you hear the telegram from the Chief of Engineers which I read?

The CHAIRMAN. I did.

Mr. SMITH of Illinois. I refer to clause 2 of Rule XXI in support of my position.

Mr. HENDERSON of Illinois. Mr. Chairman, I really do not wish to antagonize the amendment of my friend and colleague from Illinois [Mr. SMITH]. I would be glad if an appropriation could be made for the purpose indicated at this point on the Mississippi River; but I would like to ask the chairman of the Committee on Rivers and Harbors if it is not true that the money contained in this bill is appropriated here for the purpose of meeting actual contracts entered into?

Mr. BLANCHARD. It is.

Mr. HENDERSON of Illinois. In that event it seems to me that the point of order is well taken.

Mr. SMITH of Illinois. But that statement is in direct opposition to the statement of the Chief of Engineers.

Mr. HENDERSON of Illinois. I think not.

Mr. SMITH of Illinois. It is in direct opposition to it.

The CHAIRMAN. Will the gentleman from Illinois read the telegram to which he has referred again?

Mr. SMITH of Illinois. Certainly.

The information I asked for was as follows, and addressed to Gen. Casey, Chief of Engineers:

Has all the work of the improvement of the Mississippi River from the mouth of the Ohio to the Missouri been placed under contract, or is any portion of the work being done immediately by the Government? If so, what portion?

In reply to that question, Gen. Casey says in his telegram:

Work for improving the Mississippi from the mouth of the Ohio to the mouth of the Missouri is performed by hired labor, not being of the kind that can be advantageously contracted for. Some contracts are in force for supplying—

Mr. BLANCHARD (interrupting). That is it.

Mr. SMITH of Illinois (continuing the reading): for supplying material and plant.

And there is nothing in this bill which I am seeking to amend at this particular point which indicates that this appropriation is intended to provide for certain supplies or for a plant. Your bill provides the sum of \$758,333.33. And for what purpose?

For improving Mississippi River from the mouth of the Ohio River to the landing on the west bank below the Washington avenue bridge, Minneapolis, Minn.: Continuation improvement from the mouth of the Ohio River to the mouth of the Missouri River.

Now, will gentlemen who are insisting on this point of order tell us on this floor that it is necessary, in order to have certain supplies and a plant between the mouth of the Ohio River and the mouth of the Missouri River, to appropriate the sum of \$758,333.33 for that purpose only? Such is not the case. Your appropriation is for the improvement of the river and harbors between the mouth of the Ohio and the mouth of the Missouri, and to pay for the hired labor, as was suggested. Now, it was stated by the gentleman from Louisiana [Mr. BLANCHARD]—

Mr. LIVINGSTON. May I say to the gentleman that every appropriation in that bill is for the support of existing contracts, and your proposition is an independent proposition.

Mr. SMITH of Illinois. Well, but the Chief of Engineers disputes your statement.

Mr. LIVINGSTON. That is only so much the worse for the Chief of Engineers. [Laughter.]

Mr. SMITH of Illinois. He is the gentleman having the work in charge, and I should prefer to take the official statement of that gentleman, although I have great respect for the gentleman from Georgia [Mr. LIVINGSTON]. You gentlemen of the committee desire that all this money shall go in certain ways. Those of us who are interested in this matter, who are working for our sections of the country, and for the country at large, desire to have something to say as to where this money shall be expended. The work is not under contract in that stretch of the Mississippi River, but is performed by hired labor, as Gen. Casey states.

The CHAIRMAN. The Chair understands that there is no contract for this particular work which is proposed as an amendment here. The proposition which it is proposed to amend is a provision for paying for a contract, or under a law authorizing a contract. This amendment which the gentleman offers would properly come from the River and Harbor Committee, and not from the Committee on Appropriations. The Chair sustains the point of order.

Mr. COGSWELL. I yield five minutes to the gentleman from Ohio [Mr. STORER], after which time I am willing to agree that debate shall close.

Mr. STORER. I ask for the reading of my amendment that I sent up.

The amendment was read, as follows:

On page 69, after line 8, insert after the word "dollars," the words "and the Secretary of War is hereby instructed to cause a preliminary examination and survey to be made at the mouth of the Crawfish Creek, in the first ward, and the mouth of Mill Creek, in the twenty-first ward of the city of Cincinnati, Ohio, as to the availability of either or both said locations for an ice harbor."

Mr. HOLMAN. Mr. Chairman—

Mr. BLANCHARD. I will have to make the same point of order. Items like this belong on the regular river and harbor bill.

Mr. STORER. I hope the point of order will not be made. Certainly I understood both the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Louisiana [Mr. BLANCHARD] that they would not make any point of order against this.

Mr. HOLMAN. I understood the expense was to be borne by your city.

Mr. STORER. I do not think you understood anything of the kind.

Mr. HOLMAN. I do not make the point of order. It is made by the gentleman from Louisiana [Mr. BLANCHARD].

Mr. STORER. I yield to no one in the respect I have for the gentleman from Indiana [Mr. HOLMAN]; but I ask leave to make a statement, and beg that no gentleman will make a point of order to an amendment which does not ask for one cent from the General Government and which will do more immediate good to the navigation of the entire Mississippi valley than any other one measure can do. This is not for the benefit of the city of Cincinnati, nor for the commerce of the State of Ohio.

The commerce of Pittsburg, of Pennsylvania, of Louisville, of Memphis, of St. Louis, and New Orleans, is just as much interested in this as is the city of Cincinnati. We have had a loss in coal alone in front of the city of Cincinnati in the recent ice-pack of upwards of \$400,000, and that was not coal intended for the city of Cincinnati or for Cincinnati profit. It was intended for Louisville, for St. Louis, for Memphis, and all down the river; and all I ask by this amendment is that the Secretary of War may give his authoritative word as to whether it is possible to establish an ice harbor in that city. There is one civil engineer in our city who has one opinion, and another civil engineer has another opinion. One board of public works has one opinion. The chamber of commerce has another opinion.

In my poor judgment, if the Secretary of War could be allowed to make a report, which will not cost one cent—because the officer there to make it—if he would say that is the best place for an ice harbor, that would settle all this matter. It would be a point around which all these differing views can coalesce. It will not cost the United States one red cent, and I hope no gentleman will raise the point of order against this amendment.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. BLANCHARD] insist on his point of order?

Mr. BLANCHARD. I wish to say that my friend from Ohio [Mr. STORER] is mistaken in his intimation that I had said the point of order would not be raised against this amendment. When he presented it to me several days ago I told him that a point of order would be good against it.

In point of fact, Mr. Chairman, surveys always cost something. On every river and harbor bill that is passed an appropriation of over \$100,000 is made to pay the expenses of preliminary examinations and surveys. You can not send an engineer officer to a locality to make a survey without it costing something.

Now, then, if the policy be adopted of incorporating upon the sundry civil appropriation bill orders for preliminary examinations and surveys, where is it going to stop? There are fifty gentlemen on this floor who desire preliminary examinations or surveys in their districts, and if you give it in one case why not allow it in all cases?

Mr. BOUTELLE. But I have always understood that there was no beginning or end to a sundry civil appropriation bill.

Mr. BLANCHARD. There have been a number of applications to the River and Harbor Committee for orders for preliminary examinations and surveys at this session. We have replied to these gentlemen that the understanding at the last session was that there would be no river and harbor bill at this session. Now, because there is not to be a river and harbor bill reported, in which these orders would properly be made, gentlemen come and ask that they may go on the sundry civil appropriation bill. If we permit them we would have the anomaly of a river and harbor bill tacked on to a sundry civil appropriation bill.

Mr. BOUTELLE. Is not that about what we have now?

Mr. STORER. Mr. Chairman, has my time expired? I thought I had about a minute remaining.

Mr. HOLMAN. I yield five minutes to the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. The time of the gentleman from Ohio has not expired.

Mr. STORER. I would like to ask the gentleman from Louisiana one question. Whether it is not a fact that the War Department has its engineer's office for the Ohio River at Cincinnati; whether the engineers are not there; whether the whole official force of that service is not right there on the spot; and how could it cost the Government one cent?

Mr. BLANCHARD. Why, in point of fact, our surveys always cost something, whether the engineers be located at the particular spot to be surveyed or not. There is an engineer officer of the United States with headquarters at Cincinnati; he has his subordinates, and they are all under pay. It is impossible for the work of making a survey to be done, furnishing plans and estimates, without its costing something.

Mr. BOUTELLE. It would not cost very much.

The CHAIRMAN. The Chair is ready to rule on the point of order. Does the gentleman insist on the point of order? [After a pause.] The Chair sustains the point.

Mr. SPRINGER. Mr. Chairman, the pending amendment is to reduce the amount to be provided for in this appropriation to \$8,000,000. I have here before me a statement made by the Secretary of the Treasury during the month of January just past, showing the contract liability existing at December 31, 1892, According to that statement it appears that of the appropria-

tions made at the last session for the improvement of rivers and harbors there remained to be expended during the year 1894 \$17,500,000; and I understand that this appropriation, or the appropriations in the pending bill, of \$16,000,000, is in addition to those already made, or the amount heretofore appropriated.

I would like to ask the gentleman from Missouri [Mr. DOCKERY], but I do not see him in his seat, or some other member of the Committee on Appropriations, to explain whether the \$16,000,000 provided for in this bill is in addition to the amount which the Secretary of the Treasury estimates will be in the Treasury at the end of this fiscal year of previous appropriations to be expended during the next fiscal year. I see the gentleman from Missouri is now in his seat.

Mr. HOLMAN. My understanding is that it is in addition to that.

Mr. SPRINGER. If that be true, it would leave \$25,500,000 to be expended during that fiscal year.

Mr. CATCHINGS. What fiscal year?

Mr. SPRINGER. During the fiscal year ending 1894.

Mr. CATCHINGS. It is not. It is the fiscal year of 1893.

Mr. SPRINGER. The Secretary does not so state.

Mr. CATCHINGS. It is the fact.

Mr. SPRINGER. Now, the statement I have—

Mr. BINGHAM. How do you make up the sum total of \$25,000,000?

Mr. SPRINGER. The gentleman from Missouri is present, and perhaps he knows the matter better than I do, and I will ask him to state what it is.

Mr. DOCKERY. It appears here, according to the statement of the appropriations already made, that \$17,500,000, it is estimated, will be expended during the coming fiscal year and also, if this appropriation is made, an additional amount of \$16,115,750 under the contract-liability system.

Mr. SPRINGER. Will the gentleman now state, as he is a member of the committee, what the probable appropriations in general will be made during this session, and also what estimates are submitted of our revenues for the fiscal year of 1894?

Mr. HOLMAN. You have the figures—something over \$500,000 over the revenues.

Mr. SPRINGER. It seems to me that this House should consider seriously whether we are appropriating more money than is likely to equal the aggregate of the ordinary receipts of the Government; and therefore, in view of this statement of the Secretary of the Treasury, which seems to be disputed, I should like the gentleman from Indiana or the gentleman from Missouri [Mr. DOCKERY] to make an explanation.

The statement of the Secretary of the Treasury is as follows:

Contract liabilities existing December 31, 1892.

	On existing appropriations.	To be expended in 1893.	To be expended in 1894.	To be expended in 1895.	To be expended in 1896.	Authorized by law but not appropriated for.	Can be profitably expended in 1894.	Can be profitably expended in 1895.	Can be profitably expended in 1896.
Rivers and harbors.....	\$31,000,000.00	\$10,000,000.00	\$17,500,000.00	\$3,500,000		\$42,277,501.00	\$16,115,750.00	\$15,000,000	\$11,161,751
Fortifications and armament.....	4,000,000.00	1,000,000.00	1,000,000.00	1,000,000	\$1,000,000	5,376,000.00	750,000.00	750,000	*750,000
New navy and armament.....	21,350,000.00	10,000,000.00	11,350,000.00			22,000,000.00	10,000,000.00	8,000,000	4,000,000
Indian service.....	1,000,000.00	1,000,000.00				2,500,000.00	2,500,000.00		
Payment to Choctaws.....	2,243,587.50			2,243,587.50					
Payment to Chickasaws.....	747,862.50			747,862.50					
Agreements pending in Congress for ratification:									
Apaches, Kiowas, and Comanches.....	\$2,000,000.00								
Cherokees (for Outlet).....	8,587,896.12								
Kickapoos.....	64,650.00								
Pawnees (estimated).....	273,775.00								
Tonkawas.....	30,690.00								
Wichitas and affiliated bands.....	286,000.00								
Siletz.....	142,600.00								
Turtle Mountain Chippewas.....	+1,000,000.00								
	12,385,521.12								
Indian depredation claims filed.....	33,151,050.67								
Disposed of, on which \$482,718.87 has been allowed.....	1,373,757.56								
Leaving undisposed of.....	31,777,293.11								
Public buildings under Treasury Department (balance on books, \$11,000,000).....	3,775,985.72	2,500,000.00	7,000,000.00	1,500,000		6,114,265.71	2,845,000.00		
Building for Library of Congress.....	439,000.00	439,000.00				3,100,000.00	991,000.00		
Light-houses.....	728,360.04	196,558.04	372,250.00	159,552					
Life-saving stations and revenue cutters.....	189,137.89	123,800.00	65,337.89						
Post-Office Department—Ocean mail contracts, act March 3, 1891 (Estimated deficiency in postal revenues for 1893, \$1,552,000; for 1894, \$61,000.)						354,123.33	954,123.33		
Total.....	65,473,933.65	25,259,358.04	40,279,037.89	6,159,552	1,000,000	82,321,890.01	34,155,873.33	23,750,000	15,911,751

*And annually thereafter.

+Payable \$50,000 annually for twenty years.

Mr. HOLMAN. The estimated expenditures which will be authorized will be \$510,000,000, including this \$16,000,000, and the revenues will be about \$445,000,000; and the deficit would be the difference between \$510,000,000 and \$445,000,000, and that, whether it is expended upon existing works for which appropriations have been specially made or upon new contracts to be hereafter made, it is still the authorization of \$36,500,000 to be expended upon rivers and harbors during the fiscal year ending June 30, 1894.

Mr. CATCHINGS. That is a mistake, and if the gentleman will permit me to say a few words I think I can make the matter clear.

Mr. SPRINGER. I will yield the gentleman one minute.

Mr. CATCHINGS. Mr. Chairman, I desire to reply to the question asked by my friend from Illinois as to whether the \$17,500,000 which the Secretary of the Treasury reports as a contract liability for the year 1894 is in addition to the \$16,000,000 carried by this bill. I understand my friend from Indiana [Mr. HOLMAN] to answer that question in the affirmative. That is a mistake.

Mr. HOLMAN. It is not a mistake to say that it is to be expended on rivers and harbors.

Mr. BLANCHARD. May I interrupt the gentleman from Illinois for a moment?

Mr. SPRINGER. Certainly.

Mr. BLANCHARD. Does not the gentleman from Illinois know that not a dollar of the seventeen and a half millions which he says that statement shows is on hand, to be expended in the next fiscal year for river and harbor improvement, can be diverted to meet the payments becoming due under the contract liabilities assumed by the Government for river and harbor improvements in the next fiscal year?

Mr. SPRINGER. I do not know that to be a fact; but if the gentleman states it as a fact I accept his statement.

Mr. BLANCHARD. It undoubtedly is a fact that not one dollar of that seventeen and a half millions can be diverted from the purposes for which it was appropriated, to meet liabilities arising under the contracts for which money is provided in the sundry civil bill.

Mr. HOLMAN. That is correct; but if these sixteen millions are appropriated now, the expenditures for these objects for the fiscal year 1894 will be seventeen million five hundred thousand, plus sixteen million.

Mr. BLANCHARD. That may be; but do not the gentlemen from Illinois and Indiana know that if we accept their view of the matter and withhold these sixteen millions, even with the seventeen and a half millions on hand, the Government will be a defaulter on these contracts?

Mr. SPRINGER. I do not so understand it.

Mr. HOLMAN. No, that is not correct, because, according to the statement of Gen. Casey himself, the contracts are so drawn that payments may be made from time to time as the moneys are appropriated.

Mr. BLANCHARD. Ah! But the contracts stipulate that so much money is to be paid the contractors during the next fiscal year, and while the reservation referred to is made, it is plain that the spirit of the contracts, as well as the spirit of the law, authorizing them, contemplate that Congress will appropriate the money needed to pay for the work stipulated to be done.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SPRINGER] has expired.

Mr. HOLMAN. Mr. Chairman, I will yield the gentleman from Illinois five minutes more, but first let me say that I hope there will be no misunderstanding as to the obligation imposed upon the Government by these contracts. I read an extract from one of the contracts:

The work will thereafter be continued or resumed as appropriations may from time to time be made by law; but the contractor may, if he so elects, carry on the work continuously until completed without waiting for such appropriations to be made.

Mr. SPRINGER. That does not apply to all of the contracts.

Mr. HOLMAN. Yes, the same principle applies to all.

Mr. CRAIN. Galveston was in the sundry civil bill of last year.

Mr. SPRINGER. Mr. Chairman, my understanding is that there is unexpended of the appropriations heretofore made for the improvement of rivers and harbors upon the identical works provided for in the law, the sum of \$17,500,000.

Mr. HOLMAN. Not necessarily on those works; it may be expended in part upon other works.

Mr. SPRINGER. And that the sixteen millions here proposed to be appropriated is to be expended for the purpose of carrying out contracts which were authorized to be made, but for which no appropriations have been made.

Mr. CATCHINGS. Oh, no; that is not a mistake; but the fact is that this \$17,500,000 to be expended in the fiscal year 1894 covers the identical appropriations carried in this bill.

Mr. SPRINGER. Is not the gentleman mistaken about that? Mr. CATCHINGS. I think not. Here is the statement of the Secretary of the Treasury. He first estimates the existing appropriation \$31,000,000. To be expended in 1893, \$10,000,000. This whole statement, Mr. Chairman, is made under the title "Contract liabilities existing December 31, 1892." Then comes "To be expended in 1894, \$17,500,000." Everybody knows that this House has not appropriated one dollar to be expended in the fiscal year 1894. In the next column, "to be expended in 1895, \$3,500,000." Everybody knows that this House has not appropriated one dollar to be expended in the fiscal year 1895. But the Secretary of the Treasury having in mind the provision in the last river and harbor bill by which contracts were authorized to be made for continuous work on certain of these great works.

Mr. CRAIN. Authorized to be made, and had been made.

Mr. CATCHINGS. Yes; bearing that in mind, the Secretary places them in his list of obligations which the Government may be called upon to assume for that year.

Mr. MCMLLIN. Mr. Chairman, I desire to make an inquiry for information, because this is a matter in which I do not clearly understand the Secretary's figures. If the gentleman from Mississippi [Mr. CATCHINGS] is correct in what he states, how is it that that class of liabilities figure up only three and a half million dollars for 1895? These same contracts will be running then and will have to be met from year to year, and it is impossible that the item for that year should not be more than three and a half millions.

Mr. DINGLEY. The gentleman from Mississippi [Mr. CATCHINGS] is mistaken in one point. I think he did not intend to state that all the appropriations made in the last river and harbor bill were for 1893. They are continuous; and if they are not expended in 1893 they go over to 1894, and there is \$17,500,000 of those appropriations still unexpended.

Mr. CATCHINGS. I understand that; but I want to say this—

Mr. HOLMAN. I ask my friend to yield to me a moment. According to this statement the contract liabilities existing December 31, 1892, for rivers and harbors, to be expended in the year 1894, amounted to \$17,500,000; so that it is obvious that this sum of \$16,000,000 is in addition to that.

Mr. SPRINGER. I desire to state that I am willing to vote for the \$16,000,000 appropriated for these improvements in this bill, provided gentlemen will agree to insert a proviso that no more than that sum shall be expended on rivers and harbors during the fiscal year 1894.

Mr. CATCHINGS. If the gentleman makes that the condition of giving his support to the bill we will dispense with his vote and pass the bill without him.

Mr. SPRINGER. I understood you to say that this was all there was to be expended during the year 1894; and if so, I am willing to take the bill with that limitation of \$16,000,000 for these improvements.

Mr. CATCHINGS. I am not disposed to be juggled with in this matter by figures from any source.

Mr. SPRINGER. I deny that there is any juggling.

Mr. CATCHINGS. I know that we have made no appropriation as yet for the fiscal year 1894.

Mr. SPRINGER. But the appropriation for 1893 continues until expended; and the Secretary informs us that \$17,500,000 of the appropriation made at the last session, which is a continuous appropriation, will remain at the end of this fiscal year to be expended in the fiscal year ending June 30, 1894.

Mr. BLANCHARD. Is not my friend mistaken on that point? Does not the Secretary state that there was on hand, December 31, 1892, \$17,000,000?

Mr. SPRINGER. This is the statement taken from the estimates of the Secretary of the Treasury, that of the sum appropriated at the last session there will be expended in 1894, \$17,500,000. That is his statement; I do not know whether it is true or not. Now, as I understand, this is in addition to the amount which may be appropriated in this bill.

Mr. BOUTELLE. I hope we shall not be delayed in this matter by a little difference of \$17,000,000 between the experts on the Democratic side who have charge of our finances. [Laughter.]

Mr. DOCKERY. Mr. Chairman, the gentleman from Indiana [Mr. HOLMAN] yields to me for a moment. It is important that the issue of fact which has been raised here should be determined. I think my good friend from Mississippi [Mr. CATCHINGS] is inaccurate in his statement, and that upon a close examination of the report he will concede the error.

Of the appropriations heretofore made, that is, at the first session of this Congress and in former Congresses, \$31,000,000 remained unexpended on the 31st of December, 1892. Now, then, the Secretary of the Treasury in his report to the Committee on

Ways and Means, which I have before me, estimates that of this sum of \$31,000,000 remaining unexpended of appropriations heretofore made for rivers and harbors—

Mr. DINGLEY. That does not include contracts?

Mr. DOCKERY. It includes no contracts. The Secretary estimates that of this amount \$10,000,000 will be expended during the remainder of the fiscal year, 1893, \$17,500,000 during the fiscal year 1894, and \$3,500,000 during the fiscal year 1895.

Mr. SAYERS. Does the gentleman mean to say that the amount mentioned by him embraces no contract liabilities at all?

Mr. DINGLEY. Unless so far as appropriations have been made.

Mr. DOCKERY. The gentleman from Texas [Mr. SAYERS] misunderstands me.

Mr. SAYERS. I understood my friend from Missouri to say, in answer to the gentleman from Maine, that the sum he named did not embrace contract liabilities.

Mr. DOCKERY. It does not embrace these particular contract liabilities. I suppose there are contract liabilities included in the appropriations of \$31,000,000 heretofore made, but the contract liabilities carried in this bill are not included in the \$31,000,000.

Mr. DINGLEY. That is true.

Mr. DOCKERY. Now, let me restate the proposition. On the 31st of December last \$31,000,000 of the appropriations heretofore made for rivers and harbors remained unexpended. Of that amount \$10,000,000 will be expended during this fiscal year; \$17,500,000 the next fiscal year, and \$3,500,000 during the fiscal year 1895. Now then, the \$16,115,750 of contract liabilities authorized at the last session and prior sessions was not included in the total of estimates submitted to Congress; and this amount is additional to the \$31,000,000 heretofore appropriated which remained unexpended on the 31st of December last.

Mr. DINGLEY. That is correct.

Mr. HOLMAN. The contracts do not indicate any obligation on the part of the Government to appropriate except as Congress thinks proper to meet these expenditures.

Mr. DOCKERY. Yes; but the contracts were made under authorization of law.

Mr. HOLMAN. Certainly, and eventually the appropriations will be made. But it does not follow that they shall be made now.

Mr. DOCKERY. They call for an appropriation, and you can not escape payment at sometime.

Mr. OUTHWAITE. Mr. Chairman, let me ask the gentleman from Missouri during what period of time the \$47,000,000, to which he has referred, is to be expended on river and harbor improvements?

Mr. DOCKERY. That sum will be expended during the remainder of this fiscal year, the coming fiscal year, and during the fiscal year 1895.

Mr. BLANCHARD. It runs through a period of four years.

Mr. OUTHWAITE. And these expenditures are the result of the vote of this Congress.

Mr. DOCKERY. That is true in part, especially as to contract liabilities.

Mr. OUTHWAITE. Mr. Chairman, this Congress came into power largely through the fact that the people of the country had heard a considerable amount of talk about what was called the "billion-dollar Congress." If the other appropriations made by this Congress were in proportion to those made for river and harbor purposes a billion dollars would not be anywhere in the neighborhood of satisfying the expenditure.

Mr. REED. The Democratic party would be thoroughly competent to make it appear the other way. They are just as competent to misrepresent that as the other.

Mr. OUTHWAITE. Let us look this matter squarely in the face. If the statement coming from the gentleman from Missouri [Mr. DOCKERY], a member of the Committee on Appropriations, and the statement coming from the gentleman from Illinois [Mr. SPRINGER] are correct, we are facing a deficiency in the Treasury. We are going on making unnecessary appropriations, although we are informed by the highest authority that there will be no money in the Treasury to meet them. We are going on to make appropriations which will not go into effect until nearly five months hence, and to continue for twelve months from that time, and making them upon the supposed necessity that there exists some moral or legal obligation resulting from certain contracts which have been entered into.

I stated a few moments ago, in discussing the question of order then pending, that there was neither moral nor legal obligation upon us to make these appropriations at the present time. Now, I want to read the notice that was published to all men when these contracts were let, to show you that every one of the contractors had notice and information that the money

might not be appropriated immediately, and that in all probability they would have to wait for it.

I do not think that the Engineer's Department or the War Department had any idea that there would be a single dollar appropriated at this session of Congress. It never had been done before for river and harbor improvements, and it was not likely that it would be done now. But here is the notice:

In case funds are not available under an appropriation made by law for the purpose upon completion of the work, or upon completion of such portion of it as would render a part payment due, as above specified if funds were available, a statement will be issued to the contractor, if he so desires, giving in detail the amount of work completed and the sum that will become due thereon when funds are available.

Now there will be another Congress in session long before the end of the year for which you are insisting on making the appropriation of these sums. There will not be any deficiency; it will not be as if the appropriation had been put off for the sake of making a deficiency, for I have never advocated that kind of economy; it will be doing simply a wise thing to appropriate a sufficient sum to carry on the contracts in a reasonable way. I am converted by the gentleman from Louisiana to his idea that a continuing contract may be an economical contract to the Government, and I am willing to join him in voting a reasonable appropriation for the continuation of such work.

But let it be understood by the members that this Book of Estimates does not say that these several amounts are necessary. It was simply that these are the amounts that may be profitably expended. That is the language of the Book of Estimates on this subject, for which these amounts of money are proposed to be appropriated.

I ask this Democratic House of Representatives then to pause before they rush upon the necessity of borrowing money to pay the appropriations they are about to make.

Mr. HERMANN. Let me ask the gentleman from Ohio if it is not a fact that in the previous short session of Congress we have appropriated about six millions of dollars under contracts similar to these?

Mr. OUTHWAITE. I do not remember, although that may be a fact.

Mr. HERMANN. You referred to the alleged fact that this is simply an exceptional case, which happens to come up here in a short session.

Mr. OUTHWAITE. Well, it is exceptional when it amounts to forty millions of dollars in one Congress.

Mr. HERMANN. The legal liability is the same.

Mr. OUTHWAITE. There is no legal liability. The law does not make any legal liability.

Mr. HERMANN. The law authorizes the making of a contract, and the contract has been entered into. Now, I ask the gentleman if there is not a legal liability under such circumstances?

Mr. OUTHWAITE. No, not when the very contract itself contains the provision that payment shall not be made until Congress shall make an appropriation.

Mr. HERMANN. The contract is made and the payment is to be subsequently made by appropriation.

Mr. CRAIN. Will the gentleman from Ohio [Mr. OUTHWAITE] allow me to ask him a question?

Mr. OUTHWAITE. Certainly.

Mr. CRAIN. I may have misunderstood the gentleman's proposition, but I am under the impression that a few days ago the gentleman from Ohio [Mr. OUTHWAITE] tried to increase the appropriations in this very bill.

Mr. OUTHWAITE. Is that a question?

Mr. CRAIN. It is a fact.

Mr. OUTHWAITE. Yes, I did, for another department of the Government.

Mr. CRAIN. What are you lecturing a Democratic House for then?

Mr. OUTHWAITE. For another department of the Government I tried to increase the appropriation by a pitiful \$200,000, and the men who are defending this appropriation of \$16,000,000 would not give what I asked because of a deficiency staring us in the face.

Mr. CRAIN. Did I not vote with you?

Mr. OUTHWAITE. Yes, you did.

Mr. HOLMAN. I ask the indulgence of the committee to yield to the gentleman from Maine [Mr. DINGLEY] ten minutes instead of five.

There was no objection.

Mr. DINGLEY. Mr. Chairman, this is so important a matter that I bespeak the attention of the committee, and of the friends of river and harbor improvements especially, to the situation in which we are placed.

On the 1st day of January of the present year there was about \$30,000,000, which had been appropriated by Congress for rivers

and harbors, remaining unexpended. Some of it was a balance of appropriations made for works to which these very contracts refer. Most of it was a balance of appropriations under the last river and harbor bill.

As has been said by my friend from Missouri [Mr. DOCKERY], the Secretary of the Treasury states that \$10,000,000 of that amount will probably be expended under contracts heretofore made between the 1st of January of the current fiscal year and the 1st of July next, and that \$17,500,000 will probably be expended in the fiscal year 1894. Gentlemen will bear in mind that this money of which I have spoken is already appropriated.

Now, there has been placed in this bill an additional appropriation of \$16,125,000, for the purpose of meeting contracts entered into under authority of law—four under authority of laws enacted by the Fifty-first Congress for which there are in this bill appropriations to the extent of \$4,000,000, and to the extent of about \$12,000,000 under authority of laws enacted at the first session of the present Congress.

Mr. SPRINGER. And the contracts not yet made.

Mr. DINGLEY. Now, if the whole amount of appropriations for river and harbor work in this bill shall be approved by this Congress, then the Secretary of War will have next year the \$17,500,000 already appropriated plus the \$16,000,000 to be appropriated under this bill, or about \$33,500,000, which we propose to authorize him to put into river and harbor improvements in the one fiscal year 1894. My objections to putting this large amount into this one year are, first, that it is an unprecedented amount; and even if the Treasury had a large surplus so large an expenditure would not be warranted. It is a sudden jump from \$13,000,000 to \$33,000,000.

I especially ask the friends of river and harbor improvements in this situation to be careful and not increase our appropriations for rivers and harbors from \$13,000,000—the highest amount ever expended up to this date in the history of this Government in any one year—to \$33,000,000; I believe in reasonable river and harbor improvements, and believe in the contract system, with the proviso put upon each authorization by the last Congress and the Congress before, that the amount shall be expended only as Congress shall appropriate, because, in my judgment, the work is done much more cheaply when it can be covered in one contract. But it must not be concluded that because we have authorized contracts under certain conditions therefore we are bound in one year to run our river and harbor expenditures from \$13,000,000 to \$33,000,000 in one year.

I warn gentlemen who are interested in these various improvements, and in other river and harbor improvements, that they can not do a thing that will be so fatal to them in the future as to insist that the whole amount reported shall be expended next year. If there should be appropriated one-half of this amount, say \$8,000,000, then you will have an appropriation of \$25,000,000 next year to use; large enough in any reasonable view of this matter, and much larger than the expenditures of any previous year.

Mr. SPRINGER. Will the gentleman allow me to ask him one question? Do I understand the gentleman to say that these contracts, for which this \$16,000,000 is to be appropriated, have already been made now, or are merely authorized to be made?

Mr. DINGLEY. Part of the contracts have been made. There has been a continued assumption all through this debate that contracts have been authorized that obligated us to an immediate appropriation of \$16,000,000 in addition to the \$17,500,000 already appropriated, to be expended in the next fiscal year. Now, if I had supposed anything of the kind when the contract system was proposed, I never should have supported one of them. But I found that in the law authorizing these contracts there was this proviso:

Provided, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present projected improvements, to be paid for as appropriations may from time to time be made by law.

Now, how has the Secretary of War construed that provision authorizing these contracts, and what are the conditions of the contracts made? For that is the vital matter. There are four or five of these authorized improvements for which no contracts as yet have been entered into. But in every contract entered into there is this provision. Allow me to read it:

The work must be commenced within two months after notification of award of contract and the amount covered by the existing appropriation completed by June 30, 1893.

That refers to the part of the work for which the first appropriations were made in the last river and harbor bill. Then passing to the continuation of the work for which contracts were authorized, the contracts go on—

The work will thereafter be continued or resumed.

How?

As appropriations may from time to time be made by law.

Mr. DICKERSON. Then can the United States become a defaulter?

Mr. DINGLEY. Of course we can not.

Mr. DICKERSON. That is the impression made on me.

Mr. DINGLEY. Now, I want to again call attention of gentlemen to the fact that these contracts would never have received the approval of the House in the first session of this Congress if anybody had supposed an additional appropriation of \$16,000,000 would be required to carry them out for the fiscal year 1894.

Gentlemen reached the conclusion, as I did, that Congress had entire control as to how much work should be done in any specific year; and with that proviso we would get the advantage of the contract system, making it continuous, and at the same time be able to determine how much we should expend each year and hold the purse strings ourselves.

Now, observe this further statement in all of the contracts.

But the contractor may, if he so elect, carry on the work continuously until completed without waiting for an appropriation provided by law.

That is, he might do this at his own risk. Now, Mr. Chairman, it seems to me that we ought to pause in this matter, that we ought not to be led into making so largely increased appropriations for rivers and harbors in the next fiscal year, when, as intimated by the gentleman from Missouri [Mr. DOCKERY], this will in all probability make a deficit in the Treasury next year. For it is hardly probable that we can increase our river and harbor improvements from \$13,000,000—the highest amount ever expended in one year—to \$33,000,000 next year, without forcing a deficit.

Mr. COGSWELL. Do you oppose the whole paragraph?

Mr. DINGLEY. I am willing to make it one-half.

Mr. DICKERSON. Then, if we make a deficit, we will be in the attitude of a defaulter.

Mr. DINGLEY. I think these are all proper works to be carried on. I supported them all, and I believe we should continue the work with reasonable expenditures. And now I appeal to the friends of these particular works to not insist on adding the full \$16,000,000 to our river and harbor expenditures as provided by this bill, but to accept the \$8,000,000 proposed by the gentleman from Indiana; and that will make an expenditure of \$25,000,000 in the next fiscal year. I am hopeful, if there shall be no legislation threatening customs revenue, that our receipts will prove to be about equal to the expenditures if the river and harbor expenditures are confined to that figure. But if we go on here making appropriations involving expenditures of \$33,000,000 next year for this purpose, then gentlemen who do it must take the responsibility for what follows.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COGSWELL. I yield ten minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, I do not suppose that the chairman of the Committee on Appropriations [Mr. HOLMAN], who submitted his substitute providing for \$8,000,000 to be expended in the discretion of the Secretary of War, had any other purpose in relation to the details than to follow the details of the printed bill, and I observe that he has followed the details in every particular save this:

Continuing improvement, from the mouth of the Ohio River to the mouth of the Missouri River, \$758,333.33.

Continuing improvement from the mouth of the Missouri River to Minneapolis, \$865,666.67.

I assume that the gentleman either left this out by an error or that he will give the committee a reason for having left it out. The gentleman in submitting his substitute had only the first few lines read, specifying the sum total of \$8,000,000 to be expended in the discretion of the Secretary of War and under the direction of the President, and then said to the Clerk, "I substitute the remaining language," or something like that; but upon examining the remaining language included in his substitute I find that these paragraphs pertaining to the Missouri River are omitted.

Mr. HOLMAN. That was not intended.

Mr. BINGHAM. Of course, then the gentleman, in order to perfect his amendment, will include these items?

Mr. HOLMAN. Certainly.

Mr. BINGHAM. Now, Mr. Chairman, I desire to make one remark in reference to the contract system. There was nothing novel in the action of Congress in adopting a contract system for the great public works of the Government. We had done it in the Fifty-first Congress with reference to rivers and harbors; it had been done in other Congresses with reference to fortifications and armaments: it had also been done with reference to the new navy and armament. It has been unqualifiedly stated by the Chief of Engineers of the Army that the largest economy comes to the Government by this system of continuous working upon the great river and harbor improvements. Recognizing

that, Congress entered into these contracts, and in the sundry civil bill preceding this and for this fiscal year we appropriated the amounts estimated by the Chief of Engineers of the Army for continuing improvements under the several contracts then in operation.

The gentleman from Indiana in his remarks submitted the fact that the Chief of Engineers of the Army had estimated for \$4,000,000 for the present fiscal year and that we had appropriated but a little over \$800,000. Gentlemen associated with me in the committee will bear in mind that we sent those estimates back to the Chief Engineer, informing him that it was then at the close of the month of July, that Congress would be in session again in December, and we agreed, reaching only the 4th of March in expenditures, that the estimates should be considered only up to that date, and not for the next fiscal year. Therefore the reduction was made.

Now, one word in reference to the exhibits clearly explained by the gentleman from Maine [Mr. DINGLEY], but with whom I make issue as to the wisdom of the action of Congress. There is now taken already from the Treasury \$31,000,000 to be expended on existing river and harbor appropriations. That money has been already appropriated by Congress; it has been set aside to carry out existing contracts under existing law. Under these contracts this sum total of \$31,000,000 was not only the appropriation of the river and harbor bill of last year, but of preceding years, and under the contracts and the work ordered by the Department \$10,000,000 will be expended during the fiscal year 1893. But when you come to contracts that have been entered into for 1894, you find that we have appropriated \$17,500,000, and the wisdom and economy of administration as certified by the Chief of Engineers approves the action of Congress in making that appropriation.

For the year 1894, under existing law, the amount of \$17,500,000 will be expended. Remember this has been already appropriated; it has been already set aside in the Treasury. To be expended in 1895 the amount is \$3,500,000, also already appropriated and set aside. Now you come to the amount authorized by law. The amount authorized by law is \$42,277,000. In other words, the contracts that were entered into by the action of the Fifty-first Congress and the contracts that were entered into by the legislation of the first session of the Fifty-second Congress, running into the future, aggregate \$42,277,000.

It was debated in this Hall, it was debated on the stump throughout the country, when there came to be a comparison made between the expenditures of the first session of the Fifty-first Congress and the first session of the Fifty-second Congress, and we charged your side of the House with the enactment of a law covering these additional amounts in connection with the appropriations in your river and harbor bill.

Now, what does the Secretary of the Treasury state in connection with the condition of the Treasury? That of the appropriations under which contracts are being carried out to-day you can expend in the next fiscal year \$16,115,000. And in the budget of estimates laying before us, every contract into which the Government has entered we find it stated, in the language of the Secretary, that \$16,000,000 can be profitably expended in the year 1894. I believe that the judgment of the country will approve the action of this House in accepting and continuing a most wise and economical administration of improvements in connection with rivers and harbors.

Mr. COGSWELL. I yield five minutes to the gentleman from Arkansas [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE of Arkansas. Mr. Chairman, I think it has been very conclusively shown that whatever money there may be in the Treasury for expenditure upon rivers and harbors, it does not apply to the subject which we now have under consideration, and that therefore this question must be considered independently of the figures which have been cited in this connection. The question is whether we will continue these particular works, or whether we will let them cease and fall to the ground.

It is true that the Chief of Engineers, in advertising for bids and in making his contracts, has very properly guarded the Government against liability through suits at law for expenditures that must be provided for by future appropriations. That does not enter into the merits of the policy that Congress has undertaken, nor into the question of what is obligatory upon us in reference to continuing an adopted policy. The very instrument which protects the Government from any misconception of that character states also that the contractors will be expected to earn as a minimum the amounts provided for in this bill—showing as clearly as can be shown the officer's construction of the adopted policy of Congress.

Now, my friend from Maine [Mr. DINGLEY] says that he believes in the contract policy and believes in making payments dependent upon appropriations by Congress. What is the chief feature of the contract policy? It is that you provide for con-

tinuing work and for certain completion; and then we are brought to this position, that if we follow that line of argument we adopt the policy of continuing work; we make the contract, but we do not provide for payment. That would certainly be an unbusiness-like way of treating this question.

Now, Mr. Chairman, one trouble this Government has found with its public works of this character has been inadequate appropriations for their completion. If there is any one thing which has been repeated more frequently than another by all the engineers of the United States it is the folly and the futility of the Federal Government undertaking great works and not providing for their completion; it is the folly of undertaking them in the manner in which we have undertaken them in the past and appropriating for them in an inadequate manner, resulting in no relief to commerce, but solely in the waste of public money.

We have had brought to our attention times innumerable the fact that no civilized government pursues such a policy but ourselves. When a great public work of this character is undertaken by France or England or Germany there is made, coincident with the adoption of the plan, provision for the completion of that plan, every dollar of the amount being made at once available.

[Here the hammer fell.]

Mr. BRECKINRIDGE of Arkansas. I ask unanimous consent for an extension of time.

There was no objection.

Mr. BRECKINRIDGE of Arkansas. It is not necessary for me to go over the manner in which we have dealt with these public works. It is not necessary for me to analyze the evils which Congress has had to combat, but simply to cite the fact that at last provision was made in the case of certain great works for final completion and for prompt payment. Here are appropriations for those works. It has been urged against certain river and harbor improvements that the works were small; but these are large. It has been urged that appropriations were of such a character that they involved waste; but here the work is continuous and payment prompt, and there is no waste.

The policy which we now have under consideration meets every criticism which has been urged against river and harbor improvements from any intelligent and responsible source. The criticism that certain works were not national in their character, nor the provisions for them economical is met by the fact that in these cases both the works are national and the financial arrangements are continuous and economical.

Gentlemen say that if we provide for meeting these contracts there will be a deficiency in the Treasury. So far as my opinion is formed there will be a deficiency in the Treasury whether you provide for these works or not. The question is simply what amount the Treasury shall be short. But if there is to be a shortage in the Treasury, and if it is to be provided for, should the point be made here any more than at any other place in our public expenditures? The question is simply whether you will centralize your attacks upon this item.

I say, Mr. Chairman, that that would savor of bad faith with men with whom contracts are made. It would reverse for the first time a sound policy adopted by the Government; and it would be contrary to the public interest to create a deficiency by expenditures all along the line and yet stop at this single expenditure, which is the particular one that, by aiding commerce, helps make easy the burden of all the rest.

Mr. HOLMAN. Mr. Chairman, I think there is a ready answer to the argument of the gentleman from Arkansas. I believe every gentleman who has listened to this debate, who has heard read the terms of these contracts and the provisions of the law under which these contracts were made, must be satisfied that it is a matter of discretion with Congress to what extent and how rapidly the appropriations for these improvements shall be made. Such is the opinion of the Chief of Engineers.

It is now known that for the year 1894, saying nothing about the current year, we have appropriations now available, \$17,500,000. Whatever may be the appropriation in this bill, we have this large amount of \$17,500,000 to spend in addition to what we appropriate by this bill. The \$17,500,000 is a larger sum than you have ever spent for such purposes in any one year, even when your Treasury was overflowing. Now with your Treasury depleted, and our people threatened with increased taxation, are you, gentlemen on this side of the House, going to embarrass the next administration by extraordinary and unexampled expenditure?

Gentlemen ought not to deceive themselves. The next year—the fiscal year 1894—will be the first year of the incoming Democratic administration; and the character of that administration will be determined in the judgment of the people largely by the success of the administration in that year. Are you going to load down our own administration with liabilities in this extra-

dinary manner at the beginning? Are you going to compel the incoming administration of President Cleveland, in its first year, to increase taxation or to increase the public debt by the issue of more bonds, and bring upon it the condemnation of the people for increasing taxation or increasing the public debt? You can not convince our people that we ourselves are not responsible if we make the excessive and unexampled appropriations for rivers and harbors covered by this bill.

Mr. LIVINGSTON. Will you agree to a proportionate cut on the pension appropriation bill if we agree to your proposition now?

Mr. HOLMAN. Is there any connection between the two matters? Is not my friend from Georgia [Mr. LIVINGSTON] as much interested in the appropriations for pensions as I am? Does he not feel as loyally toward this Government as I do and as anxious to do justice to the soldiers of the Union Army? Besides, the sums, small in amount, paid to each pensioner diffuse the public wealth, while these river and harbor contracts centralize that wealth. Every gentleman who hears my voice ought to acquiesce in the policy that, in view of the present condition of the Treasury, not a dollar should be appropriated unless absolutely required for the proper administration of this Government.

The expenditure of over \$17,000,000 in 1894 and over \$10,000,000 during the balance of the present fiscal year for rivers and harbors is a burden as large as Congress should impose on our people for the period between now and the close of the year 1894, and it is a greater burden than ever before imposed on them for a corresponding period, and yet gentlemen demand over \$16,000,000 more.

I appeal to you, gentlemen, not to make the very beginning of your own administration unsatisfactory to our people by reason of profligacy in the expenditure of the public money you will compel in fields where you can at least display without neglecting public interests some degree of economy.

As to necessary expenditures for the support of the Government, they must be appropriated for as a matter of course. But over these appropriations in which you can exercise your own better judgment, and which you can absolutely control, I appeal to this side of the House to act with some degree of moderation in view of the present condition of our Treasury and the embarrassment that must follow if you perpetuate the lavish expenditures of the Fifty-first Congress.

If the gentleman from Massachusetts does not wish to proceed further, I call for a vote.

Mr. COGSWELL. I yield the balance of my time, seven minutes, to the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. Mr. Chairman, the statement recently read by the gentleman from Illinois [Mr. SPRINGER] that there is on hand to be expended in the fiscal year 1894 \$17,500,000, and then a still further sum of \$3,500,000 to be expended in the fiscal year 1895 is merely an arbitrary statement of the Treasury Department, and there is no law authorizing any such sum of money to be expended in those years.

The regular river and harbor appropriation bill reported at the first session of this Congress uses these words:

That the following sums of money be and are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the completion, repair and preservation of the public works hereinafter named, etc.

Now, it will be observed that this law in its enacting clause does not specify any particular fiscal year or years in which the money is to be expended, and therefore this statement of the Treasury Department, dividing this money between the fiscal year 1893, the fiscal year 1894 and 1895, is altogether arbitrary.

Mr. SPRINGER. Is it not true nevertheless?

Mr. BLANCHARD (continuing). For every dollar of the money might be expended in the present fiscal year, and could be so expended if necessary under the law making the appropriation. It was appropriated in the last fiscal year, and was intended to meet river and harbor expenditures in the present fiscal year. And this authority presented here, a mere arbitrary statement of the Treasury Department, should have no weight with the House.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. BLANCHARD. No; I regret I can not yield to the gentleman. I have but a few moments.

Now, Mr. Chairman, this old song of economy which has been preached from one year's end to the other by the gentleman from Indiana is again heard to-day on this floor, and it is heard in the way of a pathetic appeal to this House, and especially to the Democratic side of the House, not to appropriate this money on the ground that it is a wasteful expenditure of the public revenues—

Mr. HOLMAN (interrupting). No. But that ample money has been already appropriated.

Mr. BLANCHARD (continuing). That it is a bad policy; that it is a useless expenditure; that it can be deferred, and that there is danger of a deficiency, when right here the gentleman is confronted with the platform of his party, which deliberately adopted this policy, recommended it to be pursued by the Democratic party, and declared it to be a sound and wise one. And let me say to this House, and especially to the Democratic side of it, that this is the year to make this appropriation.

You all know, my friends, that at the close of the next session of Congress—the first session of the Fifty-third Congress—you will be confronted by Congressional elections in all the States, and the same old song of economy, trebly emphasized, will be sung on this floor by the gentlemen from Indiana and by other gentlemen. You gentlemen on the Republican side of the House as well as those on the Democratic side know that the time to make liberal expenditures is in the short session of Congress after an election, instead of at a long session of Congress just preceding an election. [Laughter.] You ought not to laugh at that assertion, because you all know that it is accurate.

Mr. OUTHWAITE. Are gentlemen afraid of their constituents?

Mr. BLANCHARD. And if the gentleman from Indiana tells you in this short session to be exceedingly careful in your dealing with appropriations, you will have the same advice intensified, amplified, and emphasized at the long session of the next Congress preceding the Congressional elections.

But, sir, let me go back to this statement of the gentleman from Illinois, and which he read, to the effect that he estimates \$17,500,000, according to this arbitrary statement of the Treasury Department, to be expended in the fiscal year 1894. This sum applies to three hundred river and harbor projects of improvement throughout the United States.

It has nothing to do with the river and harbor projects which are provided for under the contract liability in this present sundry civil appropriation.

Mr. HOLMAN. You can make it available for that purpose.

Mr. BLANCHARD. And when gentlemen say that there is no contract entered into on the part of the Government evidencing a liability to meet these payments, I say to them that they are mistaken. Here the Government of the United States deliberately enters into contracts, one of which contracts I hold in my hand—the one relating to the port of Savannah—and the Government says to this contractor that work shall be begun within thirty days after the signing and approval of this contract, and must be vigorously pushed at such a rate that the contractor shall earn not less than \$1,000,000 in any given fiscal year.

Now, this contractor, relying upon the good faith of the Government, buys a plant and puts himself in a position to earn a million of dollars by doing that amount of work. And yet we have the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Maine [Mr. DINGLEY] telling us there is no obligation on the part of the Government to provide this money to meet this million of dollars in this contract.

Mr. HOLMAN. The law creates no liability.

Mr. BLANCHARD. I will say that I will rest my reputation as a lawyer upon this proposition, that under this contract if a contractor does work equaling a million of dollars during the next fiscal year, and Congress fails to provide the money to meet those payments, that any circuit court of the United States having jurisdiction, or the Court of Claims in this city, will promptly award a judgment against the Government for that defalcation.

Mr. COGSWELL. With interest.

Mr. MILLIKEN. With interest and costs.

Mr. BLANCHARD. Now, Mr. Chairman, this question confronts the House, and it is this in a nutshell. Will we keep faith with the contract liabilities of the Government, or will we not? If we do not appropriate these \$16,000,000—or since the reduction has been made for Mobile, \$15,500,000—if we do not appropriate this sum we put the Government in default upon these contracts. And is not that a condition as much to be regretted as a deficit in the Treasury?

[Here the hammer fell.]

Mr. BLANCHARD. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman's time has expired.

Mr. HOLMAN. Mr. Chairman, I hope we will take a vote now upon the pending proposition. I wish to say before the vote is taken that, upon examination, the omission which the gentleman from Pennsylvania [Mr. BINGHAM] supposed had occurred in the amendment I had submitted does not exist. I understand the gentleman is now satisfied that it covers the whole ground.

Mr. BINGHAM. No; I am not at all satisfied.

Mr. HOLMAN. Then I will have to have it reported.

Mr. BINGHAM. I challenge the gentleman's statement that

it covers the whole ground. The gentleman has not used the verbiage of the bill.

Mr. DICKERSON. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DICKERSON. What is the pending proposition?

The CHAIRMAN. The amendment of the gentleman from Indiana [Mr. HOLMAN].

Mr. DICKERSON. To reduce to eight millions of dollars?

The CHAIRMAN. Yes.

Mr. DICKERSON. Is that subject to amendment?

The CHAIRMAN. Yes.

Mr. DICKERSON. Then I desire to offer an amendment to the amendment.

Mr. CRAIN. I believe there is only one amendment allowed to a substitute.

The CHAIRMAN. That is all.

Mr. CRAIN. But, as I understood the Chair, the gentleman from Indiana has agreed, with the consent of the House, that more amendments may be offered.

Mr. HOLMAN. Mr. Chairman, I ask that the amendment which I submitted be read.

The CHAIRMAN. The question is upon the substitute, and the gentleman from Kentucky [Mr. DICKERSON] offers an amendment to the substitute.

Mr. DICKERSON. I offer the amendment under the statement made from both sides of this House that there will necessarily be a deficit in the Treasury; and I want to reduce it to the lowest possible amount when the Democratic Administration comes in and is compelled to struggle with the situation.

Mr. HOLMAN. I ask that the substitute be reported.

The CHAIRMAN. The gentleman from Indiana [Mr. HOLMAN] and the balance of the committee will permit the Chair to say that debate upon this question is exhausted.

Mr. HOLMAN. I can state the features of my substitute. It embraces all the items for which expenditures have been proposed, the appropriation for those purposes being limited to \$8,000,000, or substantially 50 per cent of the amount proposed by the bill. It provides for \$8,000,000 to be appropriated upon the works mentioned, substantially in proportion to the amount stated in the bill, the expenditure to be made under the direction of the Secretary of War, with the approval of the President of the United States.

Mr. CRAIN. Before the gentleman takes his seat I would like to ask him whether he is correct in his statement that the substitute authorizes the expenditure of this money in exact proportion to the amount recommended?

Mr. HOLMAN. Yes.

Mr. CRAIN. It does not.

Mr. HOLMAN. Let me state to my friend from Texas that if we appropriate this \$8,000,000 it is to be apportioned among these various public works.

The CHAIRMAN. Debate on this question is closed.

Mr. HOLMAN. My time has not expired, Mr. Chairman.

The CHAIRMAN. The gentleman yielded his time, as the Chair understood, and demanded a vote. [Cries of "Yes!"]

Mr. COGSWELL. I demand the regular order.

Mr. HOLMAN. It is very important that there should be a perfect understanding of this matter. The gentleman who drew up this substitute is one of the greatest parliamentarians in connection with this Capitol.

Mr. LIVINGSTON. Let it be reported.

Mr. CRAIN. There is no pro rata in it.

The CHAIRMAN. Does the gentleman from Texas desire to offer an amendment here?

Mr. HOLMAN. I hope the substitute will be read.

The CHAIRMAN. The Clerk will read the substitute offered by the gentleman from Kentucky.

The Clerk read as follows:

Amend by striking out all after the word "dollars," in line 21, page 60, down to and including the word "dollars," in line 8, on page 69.

Mr. DICKERSON. That is offered as an amendment to the amendment offered by the gentleman from Indiana.

The CHAIRMAN. As an amendment to his substitute?

Mr. DICKERSON. Yes, sir.

Mr. HOLMAN. I thought it was an original proposition. You proposed to strike it all out.

Mr. DICKERSON. I will offer it, if I can get an opportunity to be heard, as an amendment to the original bill.

The CHAIRMAN. That can be done. The bill will be perfected before the committee acts on the substitute.

Mr. HOLMAN. That comes last. Of course we have a right to perfect the text.

Mr. CRAIN. Mr. Chairman, I offer my amendment as an amendment to the substitute of the gentleman from Indiana, if that is in order.

The CHAIRMAN. You can perfect the text first, and then the substitute will be acted on.

Mr. DICKERSON. As my amendment is to strike out the whole of that portion of the bill pertinent to this question, I think that all questions of perfecting the text should be acted upon first.

The CHAIRMAN. Of course, if the amendment offered by the gentleman from Kentucky strikes out the items the gentleman is correct. What is the amendment of the gentleman from Texas?

Mr. CRAIN. I withdraw that amendment temporarily.

The CHAIRMAN. The question now is upon the substitute offered by the gentleman from Indiana, which will be read.

The substitute was again read.

Mr. STOCKDALE. Mr. Chairman, was not a point of order made against that amendment?

Mr. HOLMAN. Mr. Chairman, I desire to offer an amendment to the first paragraph of the substitute.

The CHAIRMAN. The Chair thinks there was a point of order made, but the Chair overrules the point of order.

Mr. STOCKDALE. It changes existing law.

The Clerk read as follows:

For continuing river and harbor works under contracts heretofore authorized, \$8,000,000, to be expended pro rata by the Secretary of War and under direction of the President, on the following works, namely.

Mr. HOLMAN. I offer that as a substitute for the first paragraph of my substitute.

Mr. CRAIN. What does the word "pro rata" mean?

Mr. HOLMAN. In proportion to the expenditures authorized.

The CHAIRMAN. The question is on the amendment offered to the substitute.

Mr. CRAIN. What does the gentleman mean by the use of the word "pro rata" in this substitute now read?

Mr. HOLMAN. That the money shall be used in proportion to the amount that is authorized to be expended. It amounts to 50 per cent of the amount appropriated in the bill originally.

Mr. BUTLER. If everything else is stricken out there can be no per cent, and nothing to be considered; and it simply divides this money equally among all of these improvements.

Mr. HOLMAN. It divides the money pro rata.

Mr. BUTLER. Pro rata of what?

Mr. HOLMAN. Of the amount appropriated. [Cries of "Vote!"] I will withdraw that, and ask action on the original language of the substitute.

Mr. BINGHAM. I hope the Clerk will read the original language, so that the House may understand it.

The Clerk read as follows:

For continuing river and harbor works under contracts heretofore authorized.

Mr. BINGHAM. Mr. Chairman, the words are used there "under contracts heretofore authorized," and the House has information that all of these items contained in the bill are under contract. That is not so as a matter of fact. In the item in the amendment there are five of these items that are not under contracts. The Missouri River items, the Mississippi items, a part of the Point Judith, Rhode Island, item, and two other items of the Mississippi and Missouri Rivers, and as to Philadelphia Harbor, the old contract was broken and proposals were opened yesterday and will be determined by the Secretary of War within a few days.

Therefore the gentleman's amendment does not cover that point, and I understand that this committee desires, as I believe the gentleman himself desires, that all the items in this paragraph under the head of "Engineer Department" shall be included.

Mr. COGSWELL. Let us vote it down; that is the way to dispose of it.

Mr. HOLMAN. They are all included as "improvements in progress."

The question was taken on the substitute offered by Mr. HOLMAN, and the Chairman declared that the noes seemed to have it.

Mr. HOLMAN. I ask for a division.

The committee divided; and there were—ayes 48, noes 139; so the substitute was rejected.

Mr. OUTHWAITE. Mr. Chairman, I desire to offer an amendment proposing to appropriate 70 per cent of the amount in the bill.

The amendment was read, as follows:

Strike out pages 67 and 68 and down to line 9 of page 69, and insert the following in lieu thereof:

"New Jersey, and adjacent shoals, \$350,000.

"For improving harbor at Galveston, Tex.: Continuing improvement to entrance to harbor, \$700,000.

"For improving Hay Lake Channel, St. Marys River, Michigan: Continuing improvement, \$350,000.

"For improving Hudson River, New York: Continuing improvement, \$350,000.

"For improving Great Kanawha River, West Virginia: Continuing improvement, \$350,000.

"For improving St. Johns River, Florida: Continuing improvement of channel over bar at the mouth, \$200,500.

"For improving Mississippi River from the mouth of the Ohio River to the landing on the west bank below the Washington avenue bridge, Minneapolis, Minn.: Continuing improvement from the mouth of the Ohio River to the mouth of the Missouri River, \$508,333.33; continuing improvement from the mouth of the Missouri River to Minneapolis, \$606,666.67; in all, \$1,115,000.

"For improving St. Marys River at the Falls, Michigan: Continuing improvement, \$1,400,000.

"For improving channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, \$700,000.

"For improving canal at the Cascades of the Columbia River, Oregon: Continuing improvement, \$983,400.

"For harbor of refuge at Point Judith, Rhode Island: Continuing improvement, \$70,000.

"For improving harbor at Charleston, S. C., including Sullivan Island and Mount Pleasant Shore: Continuing improvement, \$525,000.

"For improving harbor at Savannah, Ga.: Continuing improvement, \$700,000.

"For improving harbor at Mobile, Ala.: Continuing improvement, \$350,000.

"For improving harbor and bay at Humboldt, Cal.: Continuing improvement, \$365,000.

"Under Mississippi River Commission: For improving Mississippi River from head of the passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission, \$1,065,500.

"Under Missouri River Commission: For improving Missouri River from its mouth to Sioux City, Iowa, including salaries, clerical, office, traveling, and miscellaneous expenses of the Missouri River Commission, surveys, permanent bench marks and gauges, \$525,000."

The question was taken on the amendment of Mr. OUTHWAITE, and the Chairman declared that the noes seemed to prevail.

Mr. OUTHWAITE. I ask for a division.

The committee divided; and there were—ayes 34, noes 153.

So the amendment was rejected.

Mr. HOLMAN. Mr. Chairman, I submit an amendment to come in at the close of the bill.

The amendment was read, as follows:

Add after line 8, on page 69:

"Provided, That if in the judgment of the President the condition of the Treasury will not warrant the expenditure, the foregoing appropriations for rivers and harbors may be suspended during the fiscal year 1894."

The question was taken and the Chairman declared that the noes seemed to have it.

Mr. OUTHWAITE. I ask for a division.

The Committee divided; and there were—ayes 32, noes 149; so the amendment was rejected.

Mr. OUTHWAITE. Mr. Chairman, I move to strike out all of pages 67, 68, and page 69 down to line 9.

Mr. DICKERSON. Mr. Chairman, I have an amendment pending which covers the proposition to strike out all of this paragraph, and I desire to call it up at this time.

Mr. OUTHWAITE. All right. I withdraw my amendment.

The question was taken on the amendment of Mr. DICKERSON, and it was rejected—ayes 29, noes 154.

The Clerk read as follows:

At the Northwestern Branch, at Milwaukee, Wis.: For current expenses, including the same objects specified under this head for the Central Branch, \$27,039.90;

For subsistence, including the same objects specified under this head for the Central Branch, \$127,750;

For clothing, including the same objects specified under this head for the Central Branch, \$35,000;

For household, including the same objects specified under this head for the Central Branch, \$55,952;

For hospital, including the same objects specified under this head for the Central Branch, \$27,350.85;

For transportation of members of the Home, \$2,000;

For construction, including the same objects specified under this head for the Central Branch, \$20,400;

For farm, including the same objects specified under this head for the Central Branch, \$10,000;

In all, \$307,152.75;

Mr. OUTHWAITE. Mr. Chairman, I desire to call attention to the fact that the appropriation for the hospital at the Northwestern Branch at Milwaukee, Wis., has been cut down from \$32,000 in the estimate to \$27,000, and I move to strike out "twenty-seven," and insert "thirty-two."

The CHAIRMAN. The Clerk will report the amendment.

The amendment was read, as follows:

Page 73, line 1, strike out "twenty-seven" and insert "thirty-two" so that the paragraph will read:

"For hospital, including the same objects specified under this head for the Central Branch, \$32,350.85."

Mr. OUTHWAITE. Mr. Chairman, this is for the hospital of the National Soldiers' Home at the Northwestern Branch at Milwaukee, Wis. The estimate sent in by the board of managers was \$32,000, and the Committee on Appropriations for some reason have seen fit to reduce the amount to \$27,000. I submit to this Committee of the Whole that the board of managers have never been accused of being extravagant, nor is there any criticism that I know of upon this item, and I think it is a mere grain of sand on the seashore compared with other items included in this bill if we give to this hospital for the disabled soldiers at the Northwestern Branch this additional \$5,000.

Mr. HOLMAN. Mr. Chairman, the gentleman from Massachusetts [Mr. COGSWELL] and myself ran over these items for soldiers' homes, and in examining them we found that in 1889 the appropriation for this particular purpose was \$18,476.38, in 1890 \$19,000, in 1891 \$23,700.22, in 1892 \$27,350.85, and in 1893 \$27,250.85.

It will be observed, therefore, that we have fixed the amount at what has been heretofore appropriated. The gentleman from Massachusetts (Mr. COGSWELL) agreed with me that this amount was sufficient.

The question being taken, the amendment of Mr. OUTHWAITE was rejected.

Mr. OUTHWAITE. I move to amend by striking out in line 9, page 73 "\$10,000" and inserting "\$11,500;" so as to make the appropriation read—

For farm, including the same objects specified under this head for the Central Branch, \$11,500.

In view of the appropriation made for the farm at the Central Branch, I do not see any reason why there should be a cut in the appropriation for this branch at Milwaukee.

Mr. HOLMAN. Let me explain this matter to my friend. In 1888 the appropriation was \$7,000; in 1889, \$9,000; in 1890, \$8,700; in 1891, \$10,379.89; in 1892, \$10,379.89, and in 1893, \$10,000. The gentleman from Massachusetts agreed with me upon an examination of the papers that the amount named in the bill was sufficient.

Mr. OUTHWAITE. The number of inmates at this home has been increasing since the former appropriations were made.

Mr. HOLMAN. The number fluctuates.

Mr. OUTHWAITE. The estimate is based upon the number of inmates as returned by the managers.

The question being taken, the amendment of Mr. OUTHWAITE was rejected.

[Mr. CLARKE of Alabama withholds his remarks for revision. See Appendix.]

Mr. ENLOE. Mr. Chairman, I only want to say, in reply to the gentleman, that I am very glad we have had some information upon this subject coming from this officer. I suppose the gentleman in his statement speaks *ex cathedra* and by the authority of the officer himself.

Mr. CLARKE of Alabama. In what respect?

Mr. ENLOE. In reference to the amount that has been contracted for, and as to the purpose of this officer in future to use nothing but native marble.

Mr. CLARKE of Alabama. His purposes are declared in his letter, a part of which you read and put in your speech yesterday, and in the specifications calling for bids, which were at your disposal.

Mr. ENLOE. Then if the gentleman does not know any more about it than the information I gave to the House yesterday he has talked fifteen minutes for nothing.

Mr. CLARKE of Alabama. The judgment of the House will be had upon that.

Mr. ENLOE. So far as this question is concerned, the House yesterday, after a tolerably full discussion of it, decided that for the future this officer in submitting his estimates for bids should give to the American citizen an equal chance with the foreigner.

Now, another thing. I stated yesterday that it was charged that \$600,700 of the amount appropriated would be expended in putting foreign marbles in that building. Further I said that the contracts already entered into only provided for an expenditure of \$38,000 for native marbles. Since the gentleman has been talking one of my colleagues on this floor from another State tells me that he went to this officer before these estimates were submitted and tried to get an opportunity to put in a bid for producers of native marble, and he was denied the opportunity to put in a bid for the marble men of his State.

Mr. CLARKE of Alabama. For these particular decorations?

Mr. ENLOE. Now, who was to determine what kind of marble should be used, what tint, what texture, and whether it should be native or foreign marble? The gentleman very properly says there was nobody heretofore to determine that question except the Chief of Engineers. By the restrictions which I have sought to throw around this appropriation it is provided that in future, in expending the appropriations, this officer shall be required to use American material where it is equal in quality and in price with the foreign material.

More than that, I challenge the gentleman, and I challenge the officer for whom he speaks, to summon a board of experts to test the various marbles that will be brought before that board, taking the native and foreign marbles and putting them side by side. I will abide by the decision of that board, and those for whom I speak will cheerfully abide by it. In my opinion such a board would decide that the American marble is superior in quality or texture and equal if not superior in beauty. More than that—

Mr. HOAR. Have they all the tints?

Mr. ENLOE. They may not have all the tints, but they have a sufficient variety of tints to ornament any building in this country. You may take the native marbles that were used for the finishing in this Capitol, and I assert that they are handsome enough to adorn the Congressional Library building or any other building. The native marbles will equal in beauty the stone that comes from any part of the world. I do not want any discrimination, and it is only to prevent discrimination against our own people and our products that I offer this amendment. Congress has the right to direct the use of this appropriation, and it is no reflection on the officer in charge to do so. Congress has a right to an opinion as to how far the interests of a class of our people shall be sacrificed on a question of taste in tints.

One moment more, Mr. Chairman. Now, the gentleman seeks to weave into this question a tariff argument. I am not advocating a protective tariff nor attempting to justify it. The law is on the statute books, and I want my constituents to have an equal chance under it. I have not a single immediate constituent who has a dollar's worth of interest in marble, and not a particle of it is produced within 200 miles of my district, but I want the people of my State to have an equal chance before the law with foreigners, and to be allowed to compete with them. If they can furnish a superior article at an equal price, they ought to be allowed to do it. I hope the amendment will stand as agreed to by the committee.

The Clerk read as follows:

MISCELLANEOUS.

Defending suits in claims against the United States: For defraying the necessary expenses incurred in the examination of witnesses and procuring of evidence in the matter of claims against the United States and in defending suits in the Court of Claims, including the payment of such expenses as, in the discretion of the Attorney-General, shall be necessary for making proper defense for the United States in the matter of French spoliation claims, to be expended under the direction of the Attorney-General, \$25,000.

Mr. SPRINGER. Mr. Chairman, at this point in the bill I believe I was to offer an amendment.

The Clerk read as follows:

On page 80, insert the following, between lines 8 and 9, as an independent paragraph:

"In all cases where suits have been brought against the United States or against any officer thereof to recover duties paid on imports, whether such duties were paid under protest or otherwise, no compromise shall be made by the officers representing the United States which requires the payment of any money out of the Treasury to the person or persons who are plaintiffs in such suit, and no money shall hereafter be paid out of the Treasury to refund duties alleged to have been illegally paid, except in pursuance of an appropriation especially authorizing thereafter such payment."

Mr. HOLMAN. Vote!

Mr. DINGLEY. I raise a point of order upon that amendment.

The CHAIRMAN. If the gentleman has a point of order, he will submit it.

Mr. DINGLEY. The point of order is that it changes existing law, repeals a large body of statutes, and is not brought within the exceptions of the rule.

The CHAIRMAN. The Chair is ready to rule, if the gentleman has nothing to say on the point of order.

Mr. SPRINGER. Mr. Chairman, I desire to say in regard to this proposition that there is a law which authorizes the Secretary of the Treasury to compromise suits against the United States for duties alleged to have been illegally paid, and to pay money out of the Treasury in pursuance of that compromise. That is a permanent appropriation, authorizing such payments out of the Treasury. During the incumbency of Secretary Win-dom over \$2,000,000 were paid out in compromising suits of that character. These were paid out principally, I am informed, in cases known as the "hat-trimming" cases, involving a construction of law as to what was the proper duty on hat trimmings.

Two millions have been paid, and I am informed by the Secretary of the Treasury that suits are pending against the United States involving \$25,000,000 on suits of a similar character, and that he has authorized a compromise to be made, which has not yet been perfected, by which the Government will be required to pay \$3,000,000 more if his propositions are accepted by the plaintiffs in those cases. It occurs to me, Mr. Chairman, that this proposition should be passed, for the reason that it is in the line of economy and does not trench on expenditures.

Mr. DINGLEY. That is a debatable point.

Mr. SPRINGER. Mr. Chairman, it will largely increase the expenditures in this particular case to which I have referred if we do not prevent the payment of money out of the Treasury on this compromise. It would prevent an expenditure of \$3,000,000. It would take away the very extraordinary power from the Secretary of the Treasury which authorizes him, on *ex parte* statements, to pay such large sums of money as are paid out of the Treasury of the United States.

Mr. COGSWELL. Will the gentleman explain to the committee how taking away from the Secretary of the Treasury the

right to settle \$25,000,000 of suits for \$3,000,000 decreases expenditures?

Mr. SPRINGER. I will. If we do not pass this provision it will be in the power of the Secretary to pay out of the Treasury \$3,000,000 without any action or authorization by Congress; but if these suits are prosecuted to the end, and judgments obtained against the United States, it will still be in the province of Congress to vote appropriations to pay those judgments or not. Now, it is beyond our control, and can be settled entirely by the Secretary of the Treasury.

Mr. COGSWELL. Then, according to your arithmetic, \$25,000,000 is less than \$3,000,000.

Mr. MILLIKEN. Has the gentleman any information by which he can inform the House what the probable amount of the judgments will be in case there is no compromise? We may have to pay the whole \$25,000,000, and that will not reduce expenditures.

Mr. SPRINGER. It is not necessary to go into the merits of those cases here. It is sufficient to say that the cases are pending, and that I prefer to abide the judgment of a court rather than to allow them to be compromised on *ex parte* proceedings by the officers of the Treasury Department. Under the law, as it stands, these payments may be made out of the Treasury without any appeal to Congress.

If this proposition is passed no money can hereafter be paid out of the Treasury unless Congress specially authorizes it, whether in the way of compromise or upon judgments obtained in the Court of Claims or in the United States courts. I desire also to call attention to the fact that in cases of this kind the plaintiffs have paid these duties on the goods, have taken the goods out of the custom-house, have charged up the duties in the prices of the goods, and have received from their customers the whole amount of the duties they have paid; so that whatever they get out of the Treasury now is a bonus to them for which the Government of the United States is not liable upon any principle of equity or justice.

Mr. DINGLEY. That is the question that is to be submitted to the court.

Mr. SPRINGER. Therefore, I ask this House to take this power out of the hands of the executive officers and leave it with the people's representatives, where it properly belongs.

Mr. BUCHANAN of New Jersey. How long has this state of affairs been in existence?

Mr. SPRINGER. I can not tell.

Mr. BUCHANAN of New Jersey. For a year or two at least?

Mr. SPRINGER. The gentleman knows as well as I do, but I know that in four years, \$2,000,000 were paid out by Secretary Win-dom in compromising suits of this character, and I know that compromises are pending now to the amount of \$3,000,000 more, and it seems to me that the time has come to call a halt.

Mr. BUCHANAN of New Jersey. Will the gentleman permit another question?

Mr. SPRINGER. Certainly.

Mr. BUCHANAN of New Jersey. What measure of relief or of amendment has the Ways and Means Committee reported to the House?

Mr. SPRINGER. This is a permanent appropriation, and does not belong to the Ways and Means Committee.

Mr. DINGLEY. It is entirely within the jurisdiction of the gentleman's committee to report a measure changing the laws under which these payments are made, laws which have been upon the statute books ever since the foundation of the Government.

Mr. SPRINGER. It is a permanent appropriation which authorizes these compromises, and here on a general appropriation bill is the place to correct it.

Mr. DOCKERY. Mr. Chairman—

The CHAIRMAN. Has the gentleman from Illinois concluded as to the point of order?

Mr. SPRINGER. I yield to the gentleman from Missouri [Mr. DOCKERY] for a question.

Mr. DOCKERY. I understand that if this amendment should prevail, it will not deprive these claimants of any rights they may have in court?

Mr. SPRINGER. Not at all.

Mr. COGSWELL. No, the claimants will have their rights just the same.

Mr. DINGLEY. It is not the claimants, but the Government, that will be at a disadvantage.

Mr. SPRINGER. This law gives these people the power to put their hands into the Treasury and take out millions of dollars, and I insist that the safer course is to have these questions settled by a judicial proceeding.

Mr. FITCH. Does the gentleman from Illinois know that these cases are all taken up by speculative attorneys—in the main by three firms of attorneys in New York City—who receive one-half the total amounts of money which are paid by

the Government; the fact being that the persons who make these claims and to whom the money is awarded, have long before received back from their customers, in the price of the goods, the duties which they had paid upon them? Is not that the fact?

Mr. SPRINGER. That is true; and if this power is taken away these speculative suits will not be brought against the Government.

Mr. FITCH. That is the exact truth.

Mr. SPRINGER. The existing law is a continual invitation to attorneys to provoke litigation in cases of this kind and fill the courts of the country with speculative suits. I want Congress to put a stop to this evil. It is not right that the representatives of the people should not have an opportunity every year to be heard upon matters involving so many millions of dollars. I think the point of order is not well taken.

Mr. DINGLEY. Mr. Chairman—

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. DINGLEY. As the gentleman from Illinois [Mr. SPRINGER] has been indulged in remarks on the merits of his amendment entirely outside of the question of order, I think I should have some opportunity to be heard in reply.

The CHAIRMAN. Has the gentleman any amendment to offer?

Mr. DINGLEY. For the purpose of making a brief statement, I move to amend by striking out the last word. Personally I should not have interposed the point of order if the gentleman had offered an amendment simply requesting the Secretary of the Treasury to decline to refund the duties which were paid in the hat-trimming cases under the tariff act of 1883, although I should not consider such interference with the discretion of the Secretary of the Treasury wise.

But what the gentleman in fact proposes by his amendment is to repeal the whole body of laws (which have existed from the foundation of this Government) giving the Secretary of the Treasury the right to refund duties paid on imports and to settle cases where he believes that the duties have been illegally imposed and collected. Certainly to repeal this body of laws would embarrass the Treasury Department in the administration of the customs laws.

Imagine a case. Here are five thousand suits which have been brought against the Government in the hat-trimming cases.

Now, suppose one of those suits to be decided by the Supreme Court and decided against the Government; suppose the principle controlling all these cases is thus established by a decision of that court; must the Secretary of the Treasury go on and at great expense make defense in every one of those five thousand suits when it is known the cases must be decided against the Government? It seems to me that the Secretary of the Treasury, in consideration of the public interest, should be allowed in such cases to make a settlement for the benefit of the Government.

Now, a word further with reference to the hat-trimming cases, referred to by the gentleman from Illinois [Mr. SPRINGER]. Many gentlemen are aware that these suits, 5,000 of which are pending, as I understand, were brought under the tariff act of 1883—not under the present tariff. Those suits arose under a provision of that law that hat trimmings should pay 20 per cent duty, while other manufactures of silk should pay 60 per cent duty. The importers brought in large quantities of manufactures of silk, sometimes used for this purpose, alleging that they were hat trimmings subject to only 20 per cent duty; but the officers of the Government imposed upon them a duty of 60 per cent as manufactures of silk.

The importers paid the duty under protest, and immediately brought suit against the Government to recover that part of the duty in excess of 20 per cent. As I have said, there were five thousand of these suits. The Government carried two of those cases to the Supreme Court of the United States. In one of them the decision was in favor of the Government; in the other it was against the Government. But the principle which was settled by the decision of the Supreme Court was the same in both cases, and decides every one of those suits. What is that principle? That where the chief use of a given manufacture of silk is for hat trimmings, it should come in at 20 per cent duty, but where the chief use is for other purposes, it should pay 60 per cent as a manufacture of silk.

Now, the Supreme Court having settled the principle, and it being well understood that there will be no change in the principle thus established, the Government attorneys have investigated each one of these cases and have reported that certain of these importers have good cases under this construction of the tariff act of 1883, and certain others have not; and these officials of the Government think that it would be the interest of the Government to settle the cases which it would clearly lose if brought to trial, stating that these cases can thus be settled more

advantageously for the Government than they would be by the judgment of the court. Hence the Government attorneys have recommended to the Secretary of the Treasury such a compromise.

The Secretary, while feeling himself that it would be better for the Treasury to settle on the basis recommended by the attorneys of the Government, has decided to take no action at present, but to leave the matter to be determined (if I may be permitted to anticipate) by Mr. CARLISLE when he shall enter upon the duties of Secretary of the Treasury, thirty days hence.

Mr. OATES. Is it not the practice for the Secretary of the Treasury to compromise such cases only after the counsel of the Government has examined them carefully and recommended to him that a compromise be made?

Mr. DINGLEY. That has been done in these cases. The counsel of the Government have recommended to the Secretary of the Treasury a compromise involving the refund of a certain portion of the duties paid. I am informed that the claims for refund on which suits have been brought aggregate about \$25,000,000, and that the recommendation for compromise involves a refund of \$3,000,000.

Mr. OATES. That was my understanding.

Mr. DINGLEY. Now, if the gentleman from Illinois [Mr. SPRINGER] wishes simply to reach the hat-trimming cases I shall not interpose a point of order so far as I am personally concerned, though I do not think this would be wise legislation.

I think we can trust the coming, as well as the present Secretary of the Treasury in this matter; and it seems to me that it is for the interest of the Government that we should not undertake to legislate as to the manner in which he shall discharge his administrative duties, and especially sweep away all the statutes authorizing the Secretary of the Treasury to refund duties which he is satisfied have been illegally imposed and collected by an amendment hastily offered to an appropriation bill, without having been carefully considered by a committee, after conference with the Secretary of the Treasury.

Mr. OATES. If the gentleman from Maine will allow me, I remember a little more than four years ago that they came to Congress, before the Committee on the Judiciary, showing such a vast accumulation of cases from the enforcement of the tariff laws in New York as to require the services of two additional judges.

Mr. SPRINGER. I desire now to offer the amendment in a modified form, as suggested by the gentleman from Maine.

Mr. DINGLEY. Understand me, I do not interpose a point of order, but at the same time I do not favor the amendment.

The CHAIRMAN. The Clerk will read the amendment of the gentleman from Illinois, as modified.

The Clerk read as follows:

On page 80, insert the following between lines 8 and 9, as an independent paragraph, namely:

"In all cases where suits have been brought against the United States or against any officer thereof to recover duties paid on imports, on what is known as the 'hat trimming cases,' whether such duties were paid under protest or otherwise, no compromise shall be made by the officers representing the United States which requires the payment of any money out of the Treasury to the person or persons who are plaintiffs in such suit, and no money shall hereafter be paid out of the Treasury to refund duties alleged to have been illegally paid in such cases except in pursuance of an appropriation especially authorizing such payment."

Mr. COGSWELL. I make the point of order.

Mr. SPRINGER. That has reference merely to the cases referred to by the gentleman from Maine.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. SPRINGER. I suppose there would be no objection to the amendment in this form.

The CHAIRMAN. The Chair thinks the amendment is not germane, and that it changes existing law, and therefore sustains the point of order. The Clerk will read the next paragraph.

The Clerk read as follows:

For payment of assistants to United States district attorneys employed by the Attorney-General to aid district attorneys in special cases, \$20,000.

The CHAIRMAN. There is a pending amendment to this provision of the bill by the gentleman from Wisconsin [Mr. BUSHNELL], which the Clerk will report.

The Clerk read as follows:

On page 83, next after line 19, insert:

"For payment of the expenses of the defense of Michel Thomas, a Chippewa Indian, indicted for murder in the killing of David Corbine, another Chippewa Indian, upon an Indian reservation, in the United States circuit court for the western district of Wisconsin, defended by H. Richardson and F. W. Hall, attorneys, appointed to do so by said court, and on trial convicted thereof and sentenced to be hung; and on motion for a new trial and in arrest of judgment in which case the United States circuit and district judges of said court disagreed on the question as to whether or not said court had jurisdiction to so try and sentence said Indian, and certified such disagreement to the Supreme Court of the United States for their decision thereon, where said cause is now pending; and pending which decision said Michel Thomas is confined in Dane County (Wis.) jail, including necessary

printing of briefs and counsel fees for said defendant, the sum of \$1,000, to be paid when said cause shall be finally determined in said United States Supreme Court upon the certified certificate of the Chief Justice thereof.

Mr. LIVINGSTON. I make the point of order on that.

Mr. HOLMAN. That ought to be examined by the Committee on Indian Affairs, I think; and I will have to make the point of order against it.

Mr. BUSHNELL. Mr. Chairman, this amendment was proposed the other day, and this provision of the bill was passed over. Now it comes up on the point of order made by the chairman of the Committee on Appropriations against it.

I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman for five minutes.

Mr. BUSHNELL. The chairman of the committee stated that his point of order was to the effect that this was for an appropriation not previously authorized by law. Am I correct in that?

Mr. HOLMAN. Yes. It is new legislation not authorized by law.

Mr. BUSHNELL. The point of order involves the consideration of Rule XXI, subdivision 2, to which I desire specially to call the attention of the Chair.

I may observe here that this rule is by no means as fierce an animal as the Committee on Appropriations would have us believe it is, when we are attempting to get in an amendment which they are desirous of keeping out. Before reading it, however, I may say that the view I take of the rule, and which has been taken by former chairmen of Committees of the Whole (as I will show to the present occupant of the chair by the authorities which I will cite), is that it has been construed to mean that if there is law for the doing of some particular thing and what is sought to be done by the amendment is simply to appropriate a sum of money to pay for the doing of that particular thing, which the law previously required to be done, then the amendment is not excluded under this provision of the rule.

That is the test as to whether an amendment is in order, and not only as to whether an amendment is in order, but also whether any provision of the bill itself is in order. So that if it be true that the amendment here proposed is out of order, then if this provision that is now sought to be inserted in the pending bill as an amendment had been inserted in the bill by the Committee on Appropriations originally, it would have been out of order. Does the gentleman deny that as a proposition?

Mr. HOLMAN. Why did you not make the point of order?

Mr. BUSHNELL. The point of order then might be made against pretty much every provision of this appropriation bill if that is true.

Mr. HOLMAN. Oh, no; there is generally some law behind every appropriation.

Mr. BUSHNELL. So there is a law behind this proposed appropriation. There is a law that requires the proper administration of justice in the United States courts.

Mr. HOLMAN. It needs more specific legislation than that to authorize such an appropriation.

Mr. BUSHNELL. There is a constitutional provision establishing United States courts, and there are provisions of law for the appropriation of money to carry on those United States courts.

Mr. LIVINGSTON. There is a law which provides that justice shall be done, but it is not in an appropriation bill. [Cries of "Rule!" "Rule!"]

Mr. BUSHNELL. Gentlemen, you need not shout "Rule." I propose to be heard upon this proposition.

Mr. HOLMAN. This point is too clear for controversy.

Mr. BUSHNELL. It is very clear to my mind that the point of order is not well taken.

The CHAIRMAN. If the gentleman from Wisconsin [Mr. BUSHNELL] can point to any statute authorizing the payment of such matters as this, the Chair would be glad to see it.

Mr. BUSHNELL. I propose to come to that.

The CHAIRMAN. That is all there is of it.

Mr. BUSHNELL. There is no law that in specific terms provides for a sum of money to be used for the purposes of defense in such a case as this, but it is, under the provisions of this rule, one of such "public objects as are already in progress." It is one of the objects of existing law to properly administer justice. This appropriation will be to carry out a present object of law. Now, this rule simply goes no further than this, that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Now, the administration of justice is in progress. The case to which the amendment refers is pending in the Supreme Court of the United States. It is true it will not be reached for three or four years unless somebody is paid to look after it and get it

expedited, but it is a case that the law requires shall be properly disposed of, and it can not properly be disposed of under the Constitution, the supreme law of the land, without giving to the accused the right to be heard by counsel for his defense. I cite the Chairman to Articles V and VI of the Constitution, which are found on page 26 of the Manual of the present House. Article V provides that:

No person shall be held to answer for a capital, or otherwise infamous, crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia when in actual service in time of war, etc., * * * nor shall be compelled in any criminal case to be a witness against himself—

Nor what?

nor be deprived of life, liberty, or property without due process of law.

Mr. HOLMAN. My friend must know that the Chairman is fully informed upon the point—

Mr. BUSHNELL. I am afraid that the gentleman is not fully informed, nor do I believe that the Chair is fully informed—

Mr. HOLMAN. On the point of order.

Mr. BUSHNELL. On the point of order. Now, here is a sacred guaranty of the rights of persons. This guaranty is not confined merely to the citizens, but it provides that no person—shall be deprived of life, liberty, or property without due process of law.

It applies to the stranger, to the alien in our country, to the wards of the Government. It applies to the Indians. It says "no person." When the Constitution by these guarantees provides what the rights of the individual shall be, will it be said that the United States Congress is under no obligation and has no duty to perform in relation to appropriating money enough to secure those rights? I think not.

But we do not stop here, because Article VI provides, what? That in all criminal prosecutions the accused shall—

What? Enjoy certain rights. He is—

To be informed of the accusation, to have compulsory process for obtaining witnesses in his favor, and—

What?

To have the assistance of counsel for his defense.

That is what he is entitled to.

The CHAIRMAN. At the expense of the United States?

Mr. BUSHNELL. He is entitled to have counsel for his defense. That is the language of the Constitution, the supreme law of the land. "To have the assistance of counsel for his defense."

Mr. LIVINGSTON. What has that to do with an appropriation act?

Mr. BUSHNELL. And under the law, under that provision of the Constitution, not only the United States courts have held it their duty, as was done in this case, to appoint counsel for the defense of every accused who is without means to employ counsel for himself, but the States have made laws requiring the court to appoint such counsel and made provision for their payment, too.

There is no court in this country but what recognizes and performs its duty under it. These provisions of the Constitution are construed as requiring the trial of indigent accused persons to be so conducted; and, Mr. Chairman, I insist that this amendment is in order under this provision of law, as held by all United States courts. The amendment only provides means to pay for what the law already requires shall be done.

The CHAIRMAN. The Chair is ready to rule upon the point of order. The Chair sustains the point of order.

Mr. BUSHNELL. I desire to call the attention of the Chair—

The CHAIRMAN. The Chair has already ruled. Does the gentleman desire to call the attention of the Chair to some other reasons? If so, the Chair will withdraw his ruling.

Mr. BUSHNELL. Mr. Chairman, I did not yield the floor.

The CHAIRMAN. To what did the gentleman desire to call the attention of the Chair?

Mr. BUSHNELL. I did not understand what the ruling of the Chair was.

The CHAIRMAN. The Chair stated that he sustained the point of order against your amendment. [Cries of "Read!"]

Mr. BUSHNELL. I have not finished my remarks, Mr. Chairman. [Laughter.] I think I could convince the Chair yet. I am entitled to the floor to finish my remarks.

Mr. COGSWELL. There is no motion pending. [Cries of "Read!"]

Mr. BUSHNELL. I desire to call the attention of the Chair to further reasons, and I will not be taken off the floor. [Cries of "Read!"]

Mr. HOUK of Ohio. Mr. Chairman—

The CHAIRMAN. How much longer will the gentleman require to finish his remarks?

Mr. BUSHNELL. Only a few minutes; but I do not propose to be limited.

The CHAIRMAN. The Chair will be obliged to limit the time of the gentleman.

Mr. HOLMAN. I rise to a question of order. The gentleman has no right to continue his remarks after the Chair has decided the point of order.

Mr. BUSHNELL. I have not yielded the floor for the purposes of interruption. [Laughter.]

The CHAIRMAN. The gentleman from Wisconsin will understand.

Mr. RICHARDSON. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. RICHARDSON. I submit, Mr. Chairman, that the question as to the length of debate upon a point of order is within the discretion of the Chair; and when the Chair has decided that should be an end to it. [Cries of "Read!"]

Mr. BUSHNELL. I desire to call the attention of the Chair to a point or two further.

Mr. HOUK of Ohio. I rise to a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HOUK of Ohio. I want to know whether the gentleman is entitled to the floor under the rules, or is he occupying it by courtesy?

The CHAIRMAN. The Chair made a ruling against the gentleman's amendment. The gentleman stated that he had further reasons to give. The Chair advised the gentleman that he would withhold the ruling, but he would state to the gentleman that he would be obliged to put a limit to the discussion.

Mr. BUSHNELL. I believe it is in order for me to appeal against the decision of the Chair?

The CHAIRMAN. It is.

Mr. BUSHNELL. Then, I most respectfully do so, if the Chair has already ruled.

The CHAIRMAN. The Chair has ruled.

Mr. BUSHNELL. I ask to be heard upon that appeal.

The CHAIRMAN. The question is: Shall the decision of the Chair stand as the judgment of the House? [Cries of "Vote!"]

Mr. BLAND. Mr. Chairman, the gentleman has the right to be heard on that, and as it is past 5 o'clock now, I think the committee ought to rise. We can not stay here all night on a question of appeal.

Mr. BUSHNELL. I have the right to appeal, and to be heard on it. If I can have order, Mr. Chairman, I desire to proceed.

Mr. BUCHANAN of New Jersey. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BUCHANAN of New Jersey. Does not debate on an appeal against a decision of the Chair proceed under the five-minute rule?

Several MEMBERS. Oh, no.

Mr. HOLMAN. I move that the committee rise.

Mr. BUSHNELL. I did not yield the floor for that. [Laughter.]

The question was put, and the motion was agreed to.

Mr. BUSHNELL. If I am to have the floor to-morrow, I yield for a motion that the committee rise.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. LESTER of Georgia, chairman of the Committee of the Whole House on the State of the Union, reported that that committee had had under consideration the bill H. R. 10238, and had come to no resolution thereon.

Mr. HOLMAN. I move that the House do now adjourn, Mr. Speaker.

Pending that motion, by unanimous consent, leave of absence was granted to Mr. BRANCH, for ten days, on account of important business.

The motion to adjourn was then agreed to; and, accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. OATES, from the Committee on the Judiciary: The bill (H. R. 10363) to remove the disabilities of William F. Robinson, a citizen of the State of Alabama: (Report No. 2396.)

By Mr. GORMAN, from the Committee on Military Affairs: The bill (H. R. 5474) authorizing and directing the Secretary of War to revoke the order dismissing Second Lieut. Edwin F. Nixon. (Report 2397.)

By Mr. HARRIES, from the Committee on Invalid Pensions: The bill (S. 2648) granting a pension to Augustus G. Cary. (Report No. 2401.)

By Mr. McALEER, from the Committee on Naval Affairs: The bill (S. 251) concerning the rank and pay of certain officers

of the Navy having served a full term as chief of a bureau in the Navy Department. (Report No. 2402.)

By Mr. BUTLER, from the Committee on Invalid Pensions: The bill (H. R. 10283) granting a pension to Elizabeth Beesley. (Report No. 2403.)

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

By Mr. COBB of Missouri, from the Committee on War Claims: The petition for the relief of Henry J. Turner. (Report No. 2398.)

Also, the bill (H. R. 10104) for the relief of Samuel R. McLean. (Report No. 2399.)

Also, the bill (H. R. 1691) for the relief of Elias D. Pierce. (Report No. 2400.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on the Judiciary was discharged from the consideration of the bill (H. R. 10322) directing the issue of duplicate United States bonds to Mrs. Victor Thunot, and the same was referred to the Committee on Claims.

BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. COMPTON (by request): A bill (H. R. 10388) to amend the charter of the Maryland and Washington Railroad Company—to the Committee on the District of Columbia.

By Mr. TERRY: A bill (H. R. 10389) to amend an act entitled an "Act to authorize the building of a railroad bridge at Little Rock, Ark." approved March 2, 1891—to the Committee on Interstate and Foreign Commerce.

By Mr. MEREDITH: A bill (H. R. 10390) to repeal the civil-service law—to the Select Committee on Reform in the Civil Service.

By Mr. BOWMAN: A bill (H. R. 10391) to amend an act entitled "An act to provide for the establishment of a port of delivery at Council Bluffs, Iowa"—to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY: A bill (H. R. 10392) to authorize the purchase of certain of the school lands in the Territory of Oklahoma for cemetery purposes—to the Committee on the Public Lands.

By Mr. BOATNER: A joint resolution (H. Res. 196) authorizing members to certify monthly the amount paid by them for clerk hire, and directing the same to be paid out of the contingent fund of the House—to the Committee on Accounts.

By Mr. ENLOE: A resolution authorizing the Select Committee on the Management of the Pension Office to continue the investigation—to the Committee on Rules.

By Mr. MEREDITH: A resolution to prohibit the further using of appropriation for removing ice from Potomac River made during the month of January—to the Committee on Appropriations.

By Mr. BRECKINRIDGE of Arkansas: A joint resolution (H. Res. 197) to repeal the increased subsidies granted to the whisky trust by the McKinley bill—to the Committee on Ways and Means.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. ARNOLD: A bill (H. R. 10393) for the relief of Joseph R. Bollinger—to the Committee on War Claims.

By Mr. BULLOCK (by request): A bill (H. R. 10394) for the relief of Gustav Gade and Henry F. Meyer—to the Committee on Claims.

By Mr. CRAWFORD: A bill (H. R. 10395) for the relief of W. W. Rollins, collector, fifth district, North Carolina, for value of stamps destroyed by fire at Winston, N. C., on November 13, 1892—to the Committee on Claims.

By Mr. GEISSENHAINER (by request): A bill (H. R. 10396) to extend the patent granted to William Farr Goodwin for an improvement in railway tracks and trucks—to the Committee on Patents.

By Mr. HAYES of Iowa: A bill (H. R. 10397) for the relief of Thomas Walker—to the Committee on Military Affairs.

By Mr. MCCREARY: A bill (H. R. 10398) for the relief of Annie Horine, administratrix of George Horine, deceased—to the Committee on War Claims.

By Mr. PEARSON: A bill (H. R. 10399) for the relief of Boyd E. Baile—to the Committee on Military Affairs.

By Mr. RIFE: A bill (H. R. 10400) for the relief of Lieut. John W. Geiger—to the Committee on Military Affairs.

By Mr. SEERLEY: A bill (H. R. 10401) to correct the military record of James W. Fuqua, of Bonaparte, Iowa, late a private in Company H, Twenty-first Missouri Infantry Volunteers—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 10402) for the relief of S. W. Adams—to the Committee on War Claims.

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. ALDERSON: Petition of R. M. Holliday, of Fayette, County, W. Va., praying that his war claim be referred to the Court of Claims under the provision of the Bowman act—to the Committee on War Claims.

By Mr. ARNOLD: Petition of Joseph R. Bolling, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. ATKINSON: Resolutions of Victor Council, No. 879, Junior Order United American Mechanics, favoring the passage of the Chandler bill to restrict immigration—to the Select Committee on Immigration and Naturalization.

Also, resolutions of Waynesboro Council, No. 394, Order United American Mechanics, favoring the restriction of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. BRODERICK: Resolutions of the Kansas City (Kans.) Board of Trade, in favor of opening to settlement the Cherokee Outlet and other lands in the Indian Territory—to the Committee on Indian Affairs.

By Mr. BUCHANAN of New Jersey: Two petitions of citizens of New Jersey, as follows: The petition of the Vincentown Council, No. 17, Junior Order United American Mechanics, and of citizens of New Egypt, in favor of suspending immigration—to the Select Committee on Immigration and Naturalization.

Also, petition of the First Presbyterian Church of Columbus, N. J., in favor of keeping the World's Fair closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BUNTING: Remonstrance of the Presbytery of Buffalo, N. Y., against the reconsideration of the vote of the House closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BUSEY: Petition of farmers and laborers of Edgar County, Ill., praying for a Congressional investigation of a combination which exists between the millers, railroads, and elevators for the purpose of depressing the price of wheat—to the Committee on Agriculture.

By Mr. CHEATHAM: Petition of Asa Jones for the estate of Frederick J. Jones, late of Craven County, N. C., praying that his war claim be referred to the Court of Claims, under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. COGSWELL: Two petitions of citizens of Massachusetts, as follows: The petition of members of Granite Council, No. 17, Order of United American Mechanics, of Lanesville, and of members of Council No. 30, Order of United American Mechanics, of Danvers, for restricted immigration—to the Select Committee on Immigration and Naturalization.

By Mr. COVERT: Petition of Edward S. Knapp and other citizens of Long Island City, N. Y., for the repeal of the silver purchase act—to the Committee on Banking and Currency.

By Mr. DOAN: Protest of the members of the Presbyterian Church of Clifton, Ohio, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, protest of 330 members of the Presbyterian Church of South Salem, Ohio, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DURBOROW: Petition of H. B. Parker and 51 others, of Astoria, Oregon, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Joseph Erdlitz and 56 others, of Menominee, Mich., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. M. Craig, M. D., and 29 others, of St. John, Ariz., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. C. Hackett and 56 others, of St. Louis, Mo., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of John H. Rumel and 54 others, of Salt Lake City, Utah, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George H. Nolte and 61 others, of Boston, Mass., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of First National Bank of Island City, N. Y., and 28 others, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Dr. C. Freazer and 57 others, of Haller City, Wash., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. B. Stewart and 54 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Mrs. Mary Briggs and 54 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. F. Brown and 55 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Robert Moeller and 57 others, of Buffalo, N. Y., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Wm. Harter, Jr., and 52 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Thos. J. Casey and 52 others, of Fort Wayne, Ind., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles E. Dunbar and 53 others, of Buffalo, N. Y., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Julia Becht and 56 others, of Coloma, Mich., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. A. Reck and 54 others, of Milwaukee, Wis., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Vance Allen and 57 others, of Dallas, Tex., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Henry J. Stark and 182 others, of Milwaukee, Wis., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. A. Stiles and 130 others, of Marlboro, Mass., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Henry Fash and 56 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Samuel Howard and 56 others, of Greenfield, Iowa, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of H. A. Engel and 56 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. S. Benn, M. D., and 56 others, of Quitman, Mo., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of G. T. Gardner and 36 others, of Decorah, Iowa, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Very Rev. Isadore Hobs, O. S. B., and 48 other ministers and citizens of St. Meinrad, Ind., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. Davies and 48 others, of Lansing, Mich., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of H. Schiffelin and 57 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles H. Culloch and 8 other bankers, of Fort Wayne, Ind., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Estreling and 13 others, of Boston, Mass., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. L. James and 56 others, of Menominee, Mich., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Louis C. Ehle and 57 others, of Chicago, Ill., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George E. Hall and 56 others, of Benton Harbor, Mich., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. E. Harding and 51 others, of Brookline, Mass., for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Carl Herzog and 42 others, of New York City,

field, Mass., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Henry Walter and 30 others, of St. Maurice, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. A. Linaburg and 53 others, of Michigan, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. P. Nightingale and 63 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. B. Foster and wife, and 56 others, of Beloit, Wis., and Detroit, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. C. Himes and 47 others, of Sioux City, Iowa, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Chas. Winkler and 52 others, of Springfield, Mass., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Robert Williams and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. L. Miller and 20 others, of Chattanooga, Tenn., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Daniel Howard and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. F. Lenn and 56 others, of Pentwater, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. E. Gibbs and 87 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Hamblin L. Hovey and 52 others, of Walton, Mass., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Rev. C. A. Hasenthal and 57 others, of South Dakota, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. F. Engels and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Em Cummings and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of John Brenner and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Henry Kemper and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of G. P. M. Corker and 35 others, of Trimble, Tenn., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. A. Morse and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of James Galvln and 52 others, of Tennessee, to open the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of William S. Hall and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of F. Rudrick and 56 others, of Ravenswood, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of O. Colstrom and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. L. Walker and 56 others, of Illinois, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. S. Worth and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. E. Wagner and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. E. Cole and 48 others, of Massachusetts, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. B. Adams and 56 others, of Wisconsin, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Frank Costigan and 52 others, of Indianapo-

lis, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. Newman and 171 others, of Porterville, Cal., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Stephen Meyers and 52 others, of Hanover Center, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of F. P. Geron and 56 others, of Rockford, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. A. Robinson and 33 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Julius M. Kahn and 50 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Joseph Yashush and 56 others, of Ironwood, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of William O'Brien and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of David McLean and 56 others, of New York and Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of John F. Norris and 39 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Henry Kramer and 52 others, of Louisville, Ky., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. W. Abbott and 73 others, of Massachusetts, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. S. Clark and 56 others, of Chicago, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Martin R. Ackerman and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of G. E. Britton and 52 others, of New York, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Taylor and 19 others, of Provo, Utah, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George A. Ayers and 56 others, of New York, Oklahoma, and Dayton, Ohio, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. R. Stone and 1 other, of Sioux City, Iowa, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. C. Goldsmith, jr., and 56 others, of New York, Denver, Colo., and San Francisco, Cal., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of M. D. Cox and 52 others, of Corinne, Utah, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. C. Kane and 109 others, of Ashland, Oregon, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles S. Morrison and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. J. Eisermann and 56 others, of Chicago, Ill., and Brooklyn, N. Y., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of James D. Rinder and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of R. S. Nicholson and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Adolph Lankus and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George W. Price and 52 others, of Bakersfield, Cal., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. W. Sinnett and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Hugh McMillan and 56 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. B. Irwin and 50 others, of Spokane, Wash., and Portland, Oregon, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Richard Whitehead and 50 others, of Wilcox, Ariz., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. C. Outtervate and 52 others, of De Pere, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of H. McLachlan and 56 others, of Indiana and Kansas, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. Lester and 56 others, of Michigan, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Willard Dean and 52 others, of Aurora, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Nathan Barasch and 51 others, of New Jersey, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. F. Jones and 52 others, of Dallas, Oregon, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. Lewek and 52 others, of California, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of G. A. Jackson and 52 others, of Mancos, Colo., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Ziegler and 66 others, of Milwaukee, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles M. Clinton and 24 others, of German National Bank, Denver, Colo., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. M. Remordy, and 55 other citizens of Burlington, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. E. Armstrong and 81 other citizens of Idaho Springs, Colo., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of W. F. Hall and 50 others, of Huntington, Oregon, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. J. Williams and 52 others, of Dallas, Oregon, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of S. M. Welbeck and 56 other citizens of Benton Harbor, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Shanatar and 56 others, of Barry, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of James Irwin O'Connor and 45 others, of New York, Philadelphia, and Illinois, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles Garland and 56 others, of Ironwood, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Mary Martel and 4 others, of Cedar Rapids, Iowa, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Bartles and 56 others, of St. Paul, Minn., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Fisher and 48 others, of Wisconsin, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. Kimball and 8 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of P. How and 27 others, of Hobart, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of F. Green and 41 others, of Appleton, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of L. Hene and 29 others, of La Fayette, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of L. Peno and 56 others, of Michigan City, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. Carey and 56 others, of Fond du Lac, Wis.,

to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Brown and 31 others, of East Chicago, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. Hall and 32 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of F. Culbertson and 56 others, of Burke, Idaho, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of R. Fisher and 56 others, of Fort Wayne, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Charles Bailey and 56 others, of Fond du Lac, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of R. Antes and 25 others, of Evansville, Wis., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. W. Cannon and 30 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of R. Carson and 22 others, of Reynolds, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. Hall and 30 others, of Jacksonville, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of H. Bodepe and 150 others, of Kalamazoo, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of — Butler and 20 others, of Chicago, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of G. Haus and 20 others, of Bremen, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of George Hager and 56 others, of Marquette, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of F. Fife and 56 others, of East Chicago, Ind., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Blair and 50 others, of Decatur, Ill., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Joseph Monk and 17 other citizens of Minnesota to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Reynolds and 100 others, of Manistee, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. McCarty and 54 others, of Ironwood, Mich., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Morris, of Hanover, Kans., and 50 others, for the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of A. Warren and 23 others, of Rock Valley, Iowa, to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of J. Thomas and 112 others, of Paducah, Ky., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. GROUT: Memorial of deaf soldiers, sailors, and marines, of Indianapolis, in behalf of Senate bill 349—to the Committee on Invalid Pensions.

Also, resolutions of the New York Chamber of Commerce, favoring the repeal of the Sherman silver act—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the New York Lumber Trade Association, in behalf of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, petition of 189 citizens of Randolph, Vt., to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARTER: Petition of the Buchler & Giblat Plow Company, to require publishers to report actual circulation—to the Committee on the Post-Office and Post-Roads.

Also, petition of marble producers of Tennessee, requesting that a Congressional committee of inquiry be appointed to ascertain the reasons for the exclusion of American quarrymen from the opportunity of bidding upon contracts for material for an American public building—to the Committee on Ways and Means.

Also, resolutions of the Board of Health of Shelby, Ohio, that the entire control of maritime quarantine be placed in the hands of the National Government—to the Committee on Interstate and Foreign Commerce.

By Mr. HERMANN: Resolutions of Holley Alliance, in Oregon, demanding that the Democratic party put into practice the teaching of its platform, and that an extra session be held—to the Committee on Ways and Means.

By Mr. HUFF: Petition of Richardsville Council, No. 298, W. A. M., of Richardsville, Pa., relative to the restriction of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. KRIKBS: Five petitions of citizens of Pennsylvania, as follows: The petition of Milesburg Council, No. 230, O. U. A. M.; of Fairmount City Council, No. 258, O. U. A. M.; of Woodside Council, No. 305, O. U. A. M., of Helvetia; of Fox Council, No. 470, O. U. A. M., of Foxburg; and of Wallacetown Council, No. 333, O. U. A. M., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. MORSE: Petition of the New York Lumber Association, in favor of the building, owning, and control of the Nicaragua Canal by the United States—to the Committee on Railways and Canals.

Also, petition of the Order United American Mechanics, of Taunton, Mass., praying restriction of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. McCLELLAN: Petition of Thomas L. Graves and 12 other citizens of Kendallville, Ind., praying for the reduction of letter postage from 2 to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

By Mr. MCKINNEY: Petition of Walter L. Drake and 91 others, of Hampton, N. H., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. O'NEILL of Pennsylvania: Petition of Council No. 209, of the Order of United American Mechanics, urging the restriction generally of immigration, and especially desiring the prevention of the immigration of the ignorant, vicious, and criminal elements of the Old World—to the Select Committee on Immigration and Naturalization.

By Mr. PAGE: Two petitions of the United American Mechanics of Rhode Island, one of What Cheer Council, No. 9, of Wickford, the other of Nathaniel Greene Council, No. 6, of Newport, each regarding immigration—to the Select Committee on Immigration and Naturalization.

By Mr. PAYNTER: Petition of Christian Lederer, of Bracken County, Ky., to grant him a pension, and setting forth reasons—to the Committee on Invalid Pensions.

Also, petition of Henry F. Loan, of Catlettsburg, Ky., asking for a pension—to the Committee on Invalid Pensions.

Also, petition of Samuel Galliher, of Catlettsburg, Ky., asking that his name be placed on the pension roll—to the Committee on Invalid Pensions.

By Mr. PICKLER: Petition of Milton R. Maxon, Thomas H. Arnold, Emery T. Erb and 50 other citizens and business men of Custer County, S. Dak., protesting against the repeal of the Sherman silver-act law and for free coinage of American silver—to the Committee on Banking and Currency.

By Mr. POST: Resolutions of the Methodist Episcopal Church at Laura, Ill., in favor of Sunday closing of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. RIFE: Three petitions of citizens of Pennsylvania, as follows: The petition of General Simon Cameron Council, No. 21, United American Mechanics of Harrisburg, of many citizens of Halifax, and of 500 citizens of Dauphin, Lebanon, and Perry Counties, asking that the immigration laws be amended—to the Select Committee on Immigration and Naturalization.

By Mr. ROBINSON of Pennsylvania: Five petitions of citizens of Pennsylvania, as follows: The petition of the Kenhawa Council, No. 248, United American Mechanics, of West Chester; of James S. Bonsall and others, of Concordville; of F. H. Disher and 55 other citizens of Phoenixville; of the Union Star Council, No. 204, United American Mechanics, at Fernwood, and of Frank A. Deise and many others, of West Chester, Chester County, and other places, in favor of restricting immigration for one year—to the Select Committee on Immigration and Naturalization.

Also, petition of 100 citizens of Avondale, Pa., asking that the World's Fair be open on Sunday—to the Select Committee on the Columbian Exposition.

Also, four petitions of Presbyterian churches of Pennsylvania, as follows: The petition of the Second Presbyterian Church of Chester, of the Honeybrook Church, of the Downtington Church, and of the Hermon Church at Frankfort, for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SHIVELY: Petition of A. P. Kent and 7 other citizens of Elkhart, Ind., in favor of the establishment of a road

department as a branch of the Federal Government in the District of Columbia—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. J. Wickizer and 14 other citizens of Argos, Ind., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SIPE: Petitions of several councils of the Order of United American Mechanics of Pennsylvania, to wit: The petition of Verebia, No. 373, of Verebia, Washington County; of Finley, No. 368, of Gastonville; of Gen. John A. Dix, No. 251, of Ingrane; of Layton, No. 343, of Layton Station; of Coal Center, No. 371, of Coal Center; of Fayette, No. 348, of Perryopolis, and of the Star Valley, No. 340, of Mansfield Valley, praying for the passage of laws regulating and restricting immigration—to the Select Committee on Immigration and Naturalization.

Also, resolutions of the Harper's Literary Society, of Dunbar, Pa., praying for an amendment to the census laws of the United States specified in the petition—to the Select Committee on the Eleventh Census.

Also, three petitions of citizens of Pennsylvania, as follows: The petition of 800 citizens of Greene, Fayette, and Westmoreland Counties; of Uniontown Council, No. 167, of the Junior Order of United American Mechanics, and of the Claysville Council, No. 460, of the Junior Order of United American Mechanics, of Claysville, praying for legislation regulating and resisting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. STORER: Memorial of the Cincinnati Christian Endeavor Union, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. JOSEPH D. TAYLOR: Petition of Cletus Bowers and 6 others, representatives of the congregation of the United Presbyterian Church of Knoxville, Jefferson County, Ohio, protesting against the repeal of the law closing the gates of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WATSON: Petition of Pickaway Farmers' Alliance, of West Virginia, against the repeal of the Sherman silver law—to the Committee on Banking and Currency.

By Mr. WHEELER of Alabama: Papers to accompany House bill 9810, in reference to the claim of Henry Webb, of Waterloo, Lauderdale County, Ala.—to the Committee on War Claims.

By Mr. WILLCOX: Petition of Derby and Shelton Board of Trade, to repeal the law relating to the purchase of silver—to the Committee on Banking and Currency.

By Mr. WILLIAMS of Illinois: Two petitions of citizens of Illinois, as follows: The petition of citizens of Hardin County and of Hamilton County, praying for a Congressional investigation of a combination existing between the millers, railroads, and elevators for the purpose of depressing the price of wheat—to the Committee on Agriculture.

Also, papers in the case of William H. Smith, of Hamilton County, Ill.—to the Committee on Military Affairs.

By Mr. WILSON of Washington: Resolutions of the Fruit Valley Grange, of Washington, relative to the passage of House bill 4843, and also the antioption bill—to the Committee on Agriculture.

By Mr. WRIGHT: Memorial of C. E. Vaughn and 68 others, of Wyoming County, Pa., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

SENATE.

THURSDAY, February 2, 1893.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

RESIGNATION OF SENATOR CARLISLE.

THE VICE-PRESIDENT. The Chair has received a communication from the Senator from Kentucky [Mr. CARLISLE], which will be read.

The communication was read and ordered to lie on the table, as follows:

UNITED STATES SENATE, Washington, February 2, 1893.

SIR: I have the honor to advise you that I have forwarded to the Governor of Kentucky my resignation of the office of Senator in the Congress of the United States, to take effect on the 4th day of the present month.

Very respectfully, yours, etc.,

J. G. CARLISLE.

Hon. LEVI P. MORTON,
Vice-President of the United States.

REPORT ON SWEATING SYSTEM.

THE VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there