

for the passage of House bill 10375 fixing a standard gauge to rule in the measurement of sheet-plate iron and steel—to the Committee on Coinage, Weights, and Measures.

Also, two memorials of Junior Orders of United American Mechanics; one of Hemingers Mill Council, No. 172, and the other of Fayette Council, No. 142, both praying for the passage of the bill known as the Chandler bill to regulate and restrict immigration—to the Select Committee on Immigration and Naturalization.

By Mr. SMITH of Illinois: Petition of farmers and laborers of Perry County, Ill., relative to a combination of millers, railroads, and elevators for the purpose of depressing the price of wheat, and praying for a Congressional investigation—to the Committee on Agriculture.

By Mr. WILLIAMS of Illinois: Paper in the case of W. R. Pryor, for relief—to the Committee on Military Affairs.

SENATE.

SATURDAY, February 25, 1893.

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

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The VICE-PRESIDENT resumed the chair.

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

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General of the United States, transmitting, in response to a resolution of the 21st instant, a list of unappealed awards and judgments for flamage damages caused by the improvement of the Fox and Wisconsin Rivers under act of Congress approved March 3, 1875, and acts supplemental thereto; which, with the accompanying papers, was, on motion of Mr. SAWYER, referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting estimates of amounts found due by the First Comptroller on account of appropriations for expenses of the diplomatic and consular service; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. COCKRELL. I ask that a special order may be made for the printing of the document, so that it may be brought back to the Committee on Appropriations this evening.

The VICE-PRESIDENT. It will be specially ordered.

Mr. COCKRELL. It is very urgent.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a concurrent resolution of the Senate and House of Representatives, a copy of a report of the Chief of Engineers upon the present condition of the harbor improvement at Cumberland Sound and the entrance to the port of Fernandina, Fla.; which was referred to the Committee on Commerce, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10267) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1894, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BLOUNT, Mr. MCCREARY, and Mr. HITT managers at the conference on the part of the House.

The message also announced that the House had passed a concurrent resolution providing for the printing of 8,000 copies of the eulogies delivered upon Hon. John G. Warwick, late a Representative from the State of Ohio; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing for the printing of 9,000 extra copies of the report of the Director of the Mint on the production of the precious metals in the United States for the year 1892; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills:

A bill (S. 2772) for the relief of Seaton Norman; and

A bill (S. 3871) to authorize the construction of a bridge across the Calumet River.

The message further announced that the House had agreed to the resolution of the Senate requesting the President of the United States to return to the Senate the bill (S. 3811) to amend

an act giving the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin; and it was thereupon signed by the Vice-President.

MEMORIAL ADDRESSES ON THE LATE SENATOR GIBSON.

Mr. WHITE. After conference with the chairman of the Committee on Appropriations, I give notice that on Wednesday next, at 3 o'clock p. m., I shall ask the Senate to suspend business in order that fitting tributes may be paid to the memory of the late Randall L. Gibson.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the general committee of thirty appointed by the Chamber of Commerce of New York City, praying that an appropriation be made for the entertainment of such guests as the nation has already invited and of such other persons of high distinction who may visit our shores during the World's Columbian Exposition; which was referred to the Committee on Appropriations.

Mr. MITCHELL presented a petition of the Legislature of Oregon, praying that an appropriation be made for the purpose of building a breakwater and harbor of refuge at Port Orford, in that State; which was referred to the Committee on Commerce.

Mr. GORDON presented a memorial of sundry citizens of Georgia, remonstrating against the sale of intoxicating liquors at the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial.

Mr. CALL presented petitions of George Washington Council, No. 2, Order of United American Mechanics, of Gainesville, Fla., praying for the restriction of the immigration laws; which were referred to the Committee on Immigration.

He also presented a memorial of the Synod of Florida, with an accompanying letter from the secretary of the same, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

REPORTS OF COMMITTEES.

Mr. MITCHELL, from the Committee on Claims, to whom were referred two amendments submitted by Mr. PADDOCK on the 17th instant intended to be proposed to the deficiency appropriation bill, reported them favorably and moved that they be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (H. R. 1484) for the relief of Mary A. Lewis, reported it without amendment and submitted a report thereon.

Mr. HALE. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 10488) making appropriations for the naval service for the fiscal year ending June 30, 1894, and for other purposes, to report it with amendments. I shall call up the bill very early next week.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be placed on the Calendar.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred an amendment submitted by himself on the 22d instant, intended to be proposed to the Post-Office appropriation bill, reported it favorably and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

ST. LOUIS RIVER BRIDGE.

Mr. WASHBURN. I am directed by the Committee on Commerce, to whom was referred the bill (S. 3793) to authorize the construction of a bridge over the St. Louis River, between the States of Wisconsin and Minnesota, to report it with an amendment in the nature of a substitute. I ask unanimous consent for the present consideration of the bill. It is important to have it passed at once.

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

The amendment of the Committee on Commerce was to strike out all after the enacting clause and insert:

That the Duluth and Superior Bridge Company, a corporation organized and existing under the laws of the State of Wisconsin or its successors in interest, be and are hereby authorized to construct and maintain a bridge and approaches thereto over the Saint Louis River, between the States of Wisconsin and Minnesota, extending from the northerly end of Connors

Point, in Wisconsin, to Rice Point, opposite, in the State of Minnesota. Said bridge shall be constructed to provide for the passage of street-railway cars, wagons, and vehicles of all kinds, for the transit of animals and for foot passengers, under such reasonable rules and regulations as may be prescribed by said company or its successors in interest, and for such reasonable rates of toll as may be fixed by said company, to be approved from time to time by the Secretary of War.

SEC. 2. That the bridge under the provisions of this act shall be built and constructed without material interference with the security and convenience of navigation on said river beyond what is necessary to carry into effect the rights and privileges hereby granted, and in order to secure compliance with these conditions the said corporation shall submit to the Secretary of War a plan of the bridge and accessory works provided for in this act, together with a detailed map of the river for a distance of 1 mile above and 1 mile below the proposed site of the said bridge, with such other information as may be required by the Secretary of War for a full and satisfactory understanding of the subject, and the Secretary of War is hereby authorized and directed, upon receiving such plan and map and such other information, and upon being satisfied that the bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and, upon receiving such notification, the said company may proceed to the erection of said bridge, conforming as nearly as may be to the approved plan and location; but until the Secretary of War shall approve the plan and location of said bridge and accessory works, and notify the company of the same, the bridge shall not be built or commenced; and should any material change be made in the plan of the bridge or accessory works during the progress of construction or after completion, such change shall likewise be subject to the approval of the Secretary of War.

SEC. 3. That the bridge built under this act shall be constructed as a pivot drawbridge with a draw over the river at an accessible and navigable point to be approved by the Secretary of War, and with spans on each side of the central or pivot pier of the draw, of such length as shall be approved by the Secretary of War, not, however, less than 200 feet in the clear, the lowest member of said draw to be not less than 25 feet in height above high-water mark: *Provided*, That the said draw shall be opened promptly on reasonable signal for the passage of boats, vessels, and other water craft whose construction shall not be such as to admit of their passage under said bridge.

SEC. 4. That it shall be the duty of the Secretary of War to require the company or persons owning said bridge to cause such aids to the passage of such bridge to be constructed, placed, and maintained at their own expense and cost, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent channel and for the guiding of steamboats, rafts, and other water craft safely through the draw as shall be specified in his order in that behalf; and, on the failure on the part of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or 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 proceedings in the circuit court of the United States for the circuit in which said bridge or any part thereof may be, for the recovery of the cost thereof, and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

SEC. 5. That the street railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same and over the approaches thereto, upon the payment of a reasonable compensation for such use, and in case the owner or owners of said bridge, and the several street railway companies, or any one of them desiring such use, shall fail to agree on the sum or sums to be paid, and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon hearing the allegations and proofs of the parties in question. And all telegraph and telephone companies shall have equal rights and privileges in constructing and maintaining their lines across said bridge.

SEC. 6. That the bridge and accessory works constructed under this act and according to its terms and limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post routes in the United States; and the United States shall have the right of way for postal, telegraph, and telephone lines across said bridge.

SEC. 7. That the company or persons owning and holding such bridge shall at any time after the completion thereof sell and transfer the same to the city of Duluth, or the county of St. Louis, in the State of Minnesota, the city of Superior or the county of Douglas, in the State of Wisconsin, or any one or more of them who may wish to purchase the same, and surrender the entire control and management thereof with all the rights, privileges, and franchises thereto appertaining, upon payment to such holders and owners of the total amount expended up to the time of the transfer in and about the construction, maintenance, and operation of said bridge and its approaches and accessory works, as well as expended in dredging the channel to and through the draw of such bridge, with interest thereon at the rate of 7 per cent per annum, less the gross income from tolls; in which event and in case of the due consummation of such transfer, the said cities or counties shall thenceforth be subject to all the obligations and conditions imposed by the provisions of this act, and shall assume and pay at their maturity the unmatured obligations of said company or persons, not exceeding in amount the purchase price of said bridge as herein provided, and the amount of such obligations so assumed with the accrued interest thereon shall be deducted from the amount of said purchase price and the remainder only shall be paid to said company or persons. *Provided*, That said bridge and its approaches thereafter shall be made free of toll.

SEC. 8. That the right to alter, amend, or repeal this act is hereby expressly reserved.

SEC. 9. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within two years from the date of the approval of this act.

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.

Mr. WASHBURN subsequently said: I enter the motion to reconsider the vote by which the Senate this morning passed the bill (S. 3793) to authorize the construction of a bridge over the St. Louis River, between the States of Wisconsin and Minnesota. I understand that the bill has gone to the House of

Representatives. I move that the other House be requested to return the bill to the Senate.

The motion was agreed to.

LOUISA Q. LOVELL.

Mr. DANIEL, from the Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred the bill (H. R. 5048) for the relief of Louisa Q. Lovell, have carefully considered the same, and, in accordance with the resolution of the Senate of February 7, 1884, report as follows:

That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

FINDINGS OF COURT OF CLAIMS.

Mr. MITCHELL. There have been pending before the Committee on Claims two proposed amendments to the deficiency appropriation bill, one submitted by the Senator from Kentucky [Mr. BLACKBURN] and the other by the Senator from Missouri [Mr. COCKRELL]. These amendments cover claims to the amount of \$1,000,394.85. They include findings of the Court of Claims, under the Bowman act. The amendments came to our committee only on the 22d of the present month, too late entirely to enable the committee to give the claims any consideration whatever, and they have felt constrained to report them both back adversely.

I will state in this connection that I observe one of the claims inserted on the very first page, that of Lewis D. Allen for \$2,000, is a claim that the Committee on Claims have heretofore reported on adversely, and the bill has been indefinitely postponed. The report is No. 1185, second session Fifty-second Congress, submitted by myself; and according to that report the claim is not only not right, but absolutely and wholly wrong from beginning to end. The party in that case claimed that he had been arrested wrongfully some time during the war and had deposited \$2,000 for his appearance before a certain military tribunal, and he claimed that he was afterward exonerated and never received back the \$2,000 deposited for his appearance.

Upon a thorough examination of the case by the Committee on Claims we found that so far from his having deposited \$2,000 for his appearance he was fined \$2,000 for peculations; well, to use the language of the military order, he was fined for stealing cotton. Of course the committee reported adversely on the claim. That is one of the cases in the amendment. Of course the Senator introducing the amendment simply took all the cases reported from the Court of Claims as produced. It shows, however, how absolutely necessary it is that the committee should consider these claims seriatim, and as we have had no time whatever to do that we report back the amendments adversely and recommend that they be indefinitely postponed.

Mr. PLATT. I desire to ask the chairman of the Committee on Claims whether the claims embraced in the amendment are simply findings or whether some of them are judgments?

Mr. MITCHELL. I think possibly a few of them are judgments, but am not certain, but the great mass of them are simply findings under the Bowman act.

Mr. PLATT. The Senator said that the amount ran over a million dollars, and he then referred to a claim of \$2,000 which he knew ought not to be paid. But it seems to me that if there are actual judgments of the Court of Claims embraced in the amendment they should be paid, and an adverse report should not be held to shut out the judgments of the Court of Claims. I suppose the Committee on Appropriations will, where a judgment has actually been rendered for which the Government is liable and for which an appropriation is to be made, see to it that it is put in the deficiency appropriation bill.

Mr. ALLISON. The judgments of the Court of Claims are certified by the Secretary of the Treasury when the usual time for an appeal has expired, and they are usually inserted in the deficiency appropriation bill.

Mr. MITCHELL. I will state to the Senator from Connecticut that all that is intended by the report we now make from the Committee on Claims on the amendments proposed by the Senator from Kentucky and the Senator from Missouri is that we have been unable for lack of time, since the amendment came to us only yesterday, to look into so large an amount of claims, and therefore we do not see our way clear to recommend that they shall be placed on the deficiency appropriation bill at this time. That is all we mean by this action. As to the claims, so far as my personal knowledge goes, every one of them may be entirely right with the one exception to which my attention was called, which I know is absolutely wrong.

Mr. COCKRELL. Mr. President—

Mr. DAWES. I move to proceed to the consideration of the legislative, etc., appropriation bill.

Mr. COCKRELL. Have I the floor? I thought I was recognized.

The VICE-PRESIDENT. The Senator from Missouri is entitled to the floor.

Mr. COCKRELL. I will take but a minute. I understand there is not in this list of claims one solitary judgment of the Court of Claims rendered in a case where the court had authority to enter a judgment.

Mr. MITCHELL. I said there might be a few, but probably there may be none. I have not had time to examine them. I know the great mass are simply findings of the court under the Bowman act.

Mr. PLATT. Then it is all right.

Mr. COCKRELL. They are not judgments. The judgments of the Court of Claims come to us under an entirely different certification. These are simply claims about which findings have been made by the Court of Claims.

Mr. MITCHELL. Under the Bowman act.

Mr. COCKRELL. Under the Bowman act.

Mr. PLATT. That is all right.

Mr. DAWES. I renew my motion to take the legislative, etc., appropriation bill.

The VICE-PRESIDENT. The morning business is not yet concluded.

Mr. DAWES. I yield for morning business.

REPORTS ON LABOR IN EUROPE.

Mr. CHANDLER, from the Committee on Immigration, reported the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there shall be printed and bound 5,000 copies of the report on the condition of labor in Europe by Mr. Walter T. Griffin, commercial agent at Limoges, France, and 5,000 copies of the report of Mr. W. H. Edwards, consul-general at Berlin on the "labor statistics of the German trades unions for the year 1891," 1,000 copies of each report to be for the use of the Senate, 2,000 copies for the use of the House, and 2,000 copies to be distributed by the Secretary of State; that said reports shall be edited and prepared for publication by the Commissioner of Labor, who shall also insert in said reports the equivalents in American money of all statements of prices or other sums now given in foreign money; and that only such photographs, maps, and other plates shall be reproduced as the Commissioner of Labor may deem essential to a fair illustration of the text of the reports.

Mr. CHANDLER. From the Committee on Immigration I report a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Resolved. That the report on the condition of labor on the continent of Europe made to the Secretary of State by Mr. Walter T. Griffin, commercial agent at Limoges, France, dated April 25, 1892, and the report of Mr. W. H. Edwards, consul-general at Berlin, dated November 29, 1892, being a translation of the work entitled "Labor statistics of the German trades unions for the year 1891," transmitted to the Senate by the President in response to the resolutions of December 20, 1892, and January 5, 1893, be returned to the Secretary of State.

Mr. COCKRELL. Why is that necessary?

Mr. CHANDLER. The other resolution provides for printing the reports and it has gone to the Committee on Printing, but in the mean time the custody of the reports should be with the Secretary of State.

The resolution was considered by unanimous consent and agreed to.

BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 3887) for the relief of L. A. Noyes; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE (by request) introduced a bill (S. 3888) for the relief of Julia A. Nutt, widow and executrix of Haller Nutt, deceased, late of Natchez, State of Mississippi; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAFFERY introduced a bill (S. 3889) for the relief of the heirs of Hilary B. Cenas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 3890) to authorize the Lake Shore and Michigan Southern Railroad Company to renew its bridge across the Calumet River; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

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

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

Mr. BATE 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. McMILLAN submitted two amendments intended to be proposed by him to the deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. PERKINS, it was

Ordered. That the papers in the case of Richard J. Hukle be withdrawn from the files of the Senate, subject to the rules.

EULOGIES ON THE LATE REPRESENTATIVE SPINOLA.

Mr. HILL. My attention has been called to the fact that no action has ever been taken on the resolutions of the House of Representatives sent to this body in reference to the death of Gen. Francis B. Spinola. As next week will be a very busy week, I suggest that to-day, at 5 o'clock, be set apart for that purpose. If there is no objection I offer the resolution which I send to the desk, and ask for its adoption.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, as follows:

Resolved. That this day, at 5 o'clock p. m., be set apart for paying tribute to the memory of Hon. Francis B. Spinola, late a member of the House of Representatives for the Tenth district of New York.

Mr. HILL. At the suggestion of Senators around me I will change the notice to half past 4 o'clock.

Mr. ALLISON. I hope the Senator will not modify it.

Mr. HILL. The Senator from Iowa wishes to have the hour 5 o'clock—

Mr. DAWES. Let it stand as it is, and if it is possible to begin at half past 4 we can do so.

Mr. HILL. Very well; I will leave the resolution as it is.

The VICE-PRESIDENT. In the absence of objection, the resolution will be agreed to.

LIST OF CLAIMS ALLOWED.

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

Resolved. That the Secretary of the Treasury be directed to transmit to the Senate a list of all claims allowed by the several accounting officers of the Treasury Department under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 23, 1874, since the allowance of those already transmitted to Congress during the present session; and also a list of judgments of the Court of Claims requiring an appropriation at the present session not already transmitted; said list to include all claims allowed up to and including the 1st day of March next.

JUDGMENTS AGAINST THE UNITED STATES.

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

Resolved. That the Attorney-General be directed to report to the Senate under section 11 of the act of March 3, 1857, entitled "An act to provide for the bringing of suits against the United States," all judgments rendered in the circuit and district courts of the United States against the United States not heretofore reported, which require an appropriation for their payment.

REPORT ON COST OF PRODUCTION OF PRECIOUS METALS.

Mr. HAWLEY submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there be printed 6,000 copies of the report of the Committee on Mines and Mining on the cost of the production of gold and silver; 2,000 copies of it to be for the use of the Senate and 4,000 for the use of the House.

REPORT OF DIRECTOR OF THE MINT.

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 the report of the Director of the Mint on the production on the precious metals in the United States for the year 1892 be printed, and that 9,000 extra copies be printed, 4,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.

PRINTING OF EULOGIES ON THE LATE REPRESENTATIVE WARWICK.

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 be printed of the eulogies delivered in Congress upon John G. Warwick, late a Representative from the State of Ohio, 8,000 copies, of which 2,000 copies shall be delivered to the Senators and Representatives of the State of Ohio,

and of those remaining 2,000 copies shall be for the use of the Senate and 4,000 for the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said John G. Warwick, to accompany said eulogies. That of the quota of the House of Representatives the Public Printer shall set apart 50 copies, which he shall have bound in full morocco with gilt edges, the same to be delivered, when completed, to the family of the deceased.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 24th instant approved and signed the following acts:

An act (S. 1232) removing charge of desertion against Lucius W. Hayford, Worcester, Vt.;

An act (S. 3857) authorizing the construction of a bridge over the Monongahela River, at the foot of Main street, in the borough of Belle Vernon, in the State of Pennsylvania;

An act (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday; and

An act (S. 1303) to increase the pension of Mrs. S. A. Farquharson.

The message also announced that the President of the United States had on this day approved and signed the joint resolution (S. R. 102) to provide for the construction of a wharf as a means of approach to the monument to be erected at Wakefield, Va., to mark the birthplace of George Washington.

SWAMP LAND GRANT PATENTS.

Mr. CALL. I ask leave to call up the joint resolution (S. R. 125) to suspend approval of lists of public lands to States or corporations until the further action of Congress.

The VICE-PRESIDENT. The joint resolution will be read. The Chief Clerk read the joint resolution introduced by Mr. CALL December 21, 1892, as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, directed to suspend the approval or the issuing of patents to land under acts of Congress granting swamp and overflowed land and under the act of May 17, 1856, granting land to the States of Alabama and Florida in aid of the construction of certain lines of railway, and under any other acts of Congress granting lands to States or corporations to aid in the construction of lines of railway until Congress shall hereafter authorize the approval of lists of such lands.

Mr. PERKINS. I should like to ask if the joint resolution has been reported favorably by the Committee on Public Lands.

The VICE-PRESIDENT. It has never been referred to a committee, the Chair is informed.

Mr. PERKINS. It seems to me that it is a very important measure.

Mr. DAWES. I renew my motion.

Mr. CALL. If the Senator will wait one moment, I will state that the joint resolution is nothing more than the law.

Mr. PLATT. Mr. President, we can not hear the Senator from Florida on this side.

The VICE-PRESIDENT. Senators will resume their seats and cease audible conversation.

Mr. CALL. I think there will be no objection to the passage of the joint resolution when the Senate understands it. In the last appropriation act for sundry civil expenses of the Government it was provided "that no part of this sum of money shall be used for any land embraced in any grant to the State of Florida." That was in reference to the expenditure of the appropriation for the adjustment of the land grants which were provided for in that act of Congress, embracing all State and railroad grants. The act provided that no part of the money therein appropriated should be applied for any lands embraced in any grants to the State of Florida.

I am informed that there has been taken some action upon the subject, perhaps inadvertently, perhaps not, in violation of the express terms of the law. Therefore, I desire that the resolution, which is nothing but a reaffirmation of the law as enacted at the last session of Congress, shall be passed in order that it may be brought to the consideration of the authorities.

Mr. MITCHELL. Will the Senator yield to me a moment?

Mr. CALL. Yes, sir.

Mr. MITCHELL. I inquire if the joint resolution of the Senator applies to any other railroad land grants then those in the State of Florida?

Mr. CALL. To none whatever, and the joint resolution is in the terms of the act passed at the last session of Congress, referring only to the lands embraced in grants to the State of Florida because of certain peculiar facts relating to them. That is the law, as will be found now in the statute book.

Mr. PERKINS. If the language is clear and specific, so that the joint resolution only applies to lands in the State of Florida, so far as I am concerned I have no objection to its passage, but I somewhat doubt whether by the phraseology it is confined to the lands of that State.

Mr. MITCHELL. I ask that the joint resolution go over until to-morrow. I should like to look at it.

The VICE-PRESIDENT. The joint resolution will lie over.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3327) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation.

The message also announced that the House had passed a bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3876) authorizing the St. Louis and Madison Transfer Company to construct a bridge over the Mississippi River; and it was thereupon signed by the Vice-President.

BIG HORN SOUTHERN RAILROAD.

Mr. JONES of Arkansas submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3317) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives and agree to the same with an amendment, page 2, line 10, after "reservation," insert "said grant of a right of way through the military reservation to be subject to the consent and approval of the Secretary of War;" and the House agree to the same.

JAMES K. JONES,

H. L. DAWES,

CHARLES F. MANDERSON,

Managers on the part of the Senate.

S. W. PEEL,

L. M. TURPIN,

JOHN L. WILSON,

Managers on the part of the House.

The report was concurred in.

HOUSE BILL REFERRED.

The bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month was read twice by its title, and referred to the Committee on Pensions.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. DAWES. I renew my motion that the Senate proceed to the consideration of the legislative, etc., appropriation bill.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts.

Mr. TURPIE. I wish to ask unanimous consent for the consideration of a private pension bill.

Mr. DAWES. The Senator will first allow me to get the appropriation bill before the Senate. Then I have promised to yield to the Senator from Illinois [Mr. PALMER], and of course I shall be glad to extend the same courtesy to the Senator from Indiana.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes, the pending question being on the amendment submitted by Mr. ALLISON.

Mr. DAWES. Now I yield to the Senator from Illinois.

The VICE-PRESIDENT. The appropriation bill will be informally laid aside if there be no objection. The Chair hears none.

LEGAL REPRESENTATIVES OF ORSEMUS B. BOYD.

Mr. PALMER. I ask unanimous consent of the Senate for the present consideration of Senate bill 1920, which has been reported favorably by the Committee on Military Affairs, and which, I think, will lead to no debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1920) for the relief of the legal representatives of Orsemus B. Boyd. It proposes that the claims of the widow and children of the late Orsemus B. Boyd, formerly a private and lieutenant of volunteers and captain in the Eighth United States Cavalry, for commutation of rations and pay while said deceased soldier was in the volunteer and regular armies of the United States, be referred to the Court of Claims for adjudication.

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

REBECCA H. CHAMBERS.

Mr. DAWES. I now yield to the Senator from Indiana, if no other Senator objects.

Mr. TURPIE. I ask unanimous consent for the present consideration of Senate bill 2383.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2383) granting a pension to Rebecca H. Chambers.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Chambers," to insert "she being the only sister of Archer S. Harmon, late of Company B, Ninety-third Regiment of Indiana Volunteer Infantry, who died unmarried in said service;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca H. Chambers, she being the only sister of Archer S. Harmon, late of Company B, Ninety-third Regiment of Indiana Volunteer Infantry, who died unmarried in said service.

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.

SHIBLEY & WOOD GROCER COMPANY.

Mr. DAWES. The Senator from Arkansas [Mr. BERRY] has also made a request for the consideration of a bill. If no other Senator objects, I shall yield to him.

Mr. BERRY. I ask unanimous consent for the present consideration of House bill 8736.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8736) for the relief of the Shibley & Wood Grocer Company, of Van Buren, Crawford County, Ark. It proposes to pay to the Shibley & Wood Grocer Company, of Van Buren, Crawford County, Ark., \$259.68, the rebates due them under the act of March 3, 1883, for taxes paid on tobacco, snuff, cigars, and cigarettes.

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

ASSIGNEE OF MOSES PERKINS.

Mr. GORDON. I ask the Senator from Massachusetts to yield to me for a moment.

Mr. DAWES. I think I must insist on proceeding with the consideration of the appropriation bill now.

Mr. GORDON. The bill which I desire to have considered will take no time. I shall not insist, however, in asking its consideration if it is not agreeable to the Senator from Massachusetts, but I am sure it will not lead to discussion.

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

Mr. GORDON. It is a bill for the relief of Nemiah Garrison, assignee of Moses Perkins.

Mr. DAWES. I yield.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3508) for the relief of Nemiah Garrison, assignee of Moses Perkins. It proposes to pay Nemiah Garrison, of Georgia, \$750, in accordance with the judgment of the Court of Claims in the case of Nemiah Garrison, assignee of Moses Perkins vs. The United States.

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

ALABAMA RIVER BRIDGE NEAR MONTGOMERY, ALA.

Mr. VEST. I ask the Senator from Massachusetts to permit me to make a report from a committee.

Mr. DAWES. I yield for that purpose.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 3886) to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala., to report it favorably without amendment.

Mr. President, one of our colleagues in the House of Representatives, who is about to enter the Cabinet, and who will probably ask no other favor at the hands of Congress, is very anxious for the immediate passage of this bill, which can not become a law unless it is taken up now and passed.

I venture, if the Senator from Massachusetts will permit me, to make a request for unanimous consent for the consideration of the bill, so that it may be put upon its passage. It will give rise to no debate. It is an ordinary bridge bill, which, unless passed now, will stop the construction of an important railroad bridge.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. DAWES. It would be very ungracious of me not to yield to that suggestion.

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

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

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10267) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1894, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments, and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. HALE, Mr. ALLISON, and Mr. BLACKBURN were appointed.

CEDAR POINT AND DAUPHIN ISLAND TRESTLE COMPANY.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read:

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. 3811) 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 28, 1890."

BENJ. HARRISON.

EXECUTIVE MANSION, February 25, 1893.

The PRESIDING OFFICER. The message will lie on the table, and be printed.

Mr. VEST. There is a mistake of one word in the bill which has just been returned by the President. I ask the Senate to consider the bill and to just change that word, and then pass the bill and send it to the other House as amended.

The PRESIDING OFFICER. The Chair would suggest to the Senator that perhaps the better method would be a concurrent resolution directing the enrolling clerks to correct that one word.

Mr. VEST. The mistake was not made by the enrolling clerks, but in the original bill.

The PRESIDING OFFICER. It is suggested by a gentleman at the Clerk's desk of large experience in such matters that the Committee on Enrolled Bills, authorized by a concurrent resolution, would remedy the evil. However, the Chair will entertain any suggestion the Senator from Missouri may see proper to make.

Mr. VEST. It seems to me that would be about the same as passing the bill as amended and then sending it to the other House.

The PRESIDING OFFICER. The Senator from Missouri then asks to reconsider the votes by which the bill was passed and by which it was ordered to a third reading?

Mr. VEST. That is the motion I make.

The PRESIDING OFFICER. Is there objection to the reconsideration of the two votes just suggested? The Chair hears none, and they will be reconsidered. Now let the Senator suggest his amendment.

Mr. VEST. I move to change the word "six" to the word "four;" so as to read "section 4" instead of "section 6." The bill is an amendment of an act, and it amended the wrong section, that is all.

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. Strike out "section 6" and insert "section 4" where it appears in the bill.

The PRESIDING OFFICER. If there be no objection that amendment will be considered as agreed to. It is agreed to.

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

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment submitted by the Senator from Iowa [Mr. ALLISON].

Mr. PLATT. Let the amendment be read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 40, line 20, after the words "out the," it is proposed to strike out "words 'verified by oath or

affirmation,' and substituting in lieu thereof the words 'certified as to its accuracy by said person or his agent,' and insert:

Paragraph and inserting:
 "That hereafter collectors of customs shall render to the Bureau of Statistics, in such manner and form and at such periods as the Secretary of the Treasury may prescribe, returns of exports to foreign countries leaving the United States by rail. Any person who shall hereafter deliver to any railway or transportation company or other common carrier commodities for transportation and exportation by rail from the United States to foreign countries shall also deliver to the collector of customs at the frontier port through which the goods pass into the foreign country a manifest, in such form as the Secretary of the Treasury may prescribe, duly certified as to its accuracy by said person or his agent, exhibiting the kinds, quantities, and values of the several articles delivered by such person or his agent for exportation, with a description by number of the car in which shipped and the route by which shipped. And no railway car containing commodities, the product or manufacture of the United States, or foreign goods, duty paid or free of duty, intended to be exported to any foreign country, shall be permitted hereafter to leave the United States until the agent of the railway or transportation company or the person having such car in charge shall deliver to the customs officer at the last port in the United States through which the commodities pass into foreign territory a manifest thereof, which shall specify the kinds and quantities of the commodities in the form prescribed by the Secretary of the Treasury; and said manifest shall be accompanied by the manifest thereof of the owners, shippers, or consignors of the commodities herein above required.

"The agent or employé of the railway or transportation company who shall hereafter omit or refuse to deliver to the customs officer such manifests of the lading of any car shall be liable to a penalty of \$50 for each offense, or the detention of the car until such manifests shall be furnished, or information satisfactory to such customs officer as to the kind, quantities, and values of the domestic and foreign free or duty-paid commodities laden on such car: *Provided*, That nothing contained in the foregoing shall be held as applicable to goods in transit between American ports by routes passing through foreign territory, or to merchandise in transit between places in the Dominion of Canada by routes passing through the United States, or to merchandise arriving at the ports designated under the authority of section 3005 of the Revised Statutes, and which may be destined for places in the Republic of Mexico."

Mr. GORMAN. I suggest to the Senator from Iowa, as this is an important amendment and as it will almost certainly lead to discussion, that it go over for a short time, until we have finished the ordinary amendments to the bill, so that we may have an opportunity to examine it.

Mr. ALLISON. I have no objection to that course.

The PRESIDING OFFICER. The amendment will be passed over for the present.

Mr. VOORHEES. I submit an amendment to the bill, to come in on page 18, at the end of line 17.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 18, at the end of line 17, it is proposed to insert:

And the Librarian of Congress is hereby authorized and directed to purchase from the executors of the will of the late George Bancroft his library of historical manuscripts and printed books and pamphlets, consisting of about 20,000 volumes, at a price not exceeding the sum of \$75,000, which amount, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

Mr. PERKINS. On page 61, line 9, after the word "governor," I move to strike out "five hundred" and insert "one thousand." The amendment relates to the contingent expenses in the office of the governor of the Territory of Oklahoma. I have a letter from the governor of the Territory in relation to the subject, which I should like to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 61, line 9, after the word "governor," it is proposed to strike out "five hundred" and insert "one thousand;" so as to read:

For contingent expenses of the Territory, to be expended by the governor, \$1,000.

Mr. PERKINS. I ask to have the letter read which I send to the desk.

Mr. PLATT. Let it be printed in the RECORD without reading.

Mr. GORMAN. I ask that the letter may be read.

Mr. DAWES. I should like to hear the letter.

Mr. PERKINS. The letter is addressed to the Delegate from the Territory.

The PRESIDING OFFICER. The letter will be read in the absence of objection.

The Secretary read as follows:

EXECUTIVE DEPARTMENT, Guthrie, Okla., February 1, 1893.

DEAR SIR: The latter part of section 14 of the act of May, 1890, United States Statutes at Large, page 89, provides that there shall be appropriated annually the sum of \$1,000, to be expended by the governor to defray the contingent expenses of the Territory. At page 930, same volume, it provides for contingent expenses of the Territory, to be expended by the governor, \$1,500. Approved, March 3, 1891. In the first session of the Fifty-second Congress it is provided, on page 203, that for contingent expenses of the Territory, to be expended by the governor, \$500 is appropriated. This act was approved July 16, 1892.

Now the Legislature passed a bill increasing the number of clerks and other under officers and attachés of the Legislature beyond that authorized by Congress, and I vetoed the bill. They have to-day passed it over my head, and the probability is that they will refuse to pass any appropriation for this office out of the Territorial treasury, in which case the office must be run on credit, or shut up shop. I have already received \$375 of the \$500 ap-

propriated, and have actually paid out over \$500, and owe now \$100 or more, and the boys monthly pay is due to-day—no money with which to pay. I have asked the United States Treasurer to send me the balance of the \$500, to wit, \$125, which he declined to do, saying that he will send it at the beginning of the last quarter of the fiscal year. Now in this condition, what shall be done?

HON. D. A. HARVEY,
 House Representatives, Washington, D. C.

Mr. PERKINS. That is all of the letter which pertains to the subject under consideration.

The organic act creating the Territory of Oklahoma provides that \$1,000 shall be appropriated annually for the contingent expenses of the Territory, to be expended by the governor. As shown by the communication of the governor, his expenses already exceed the amount appropriated for the present fiscal year, and he asks that an appropriation may be made this year, as provided for in the organic act.

Mr. COCKRELL. Is there any difference between the organic act of Oklahoma and the organic acts of other Territories? We provide \$500 for the contingent expenses of the Territory of New Mexico, \$500 for the Territory of Utah, and the same amount for the Territory of Arizona. Why should there be an exception in this case to the rule?

Mr. PERKINS. In answer to the inquiry of the Senator from Missouri, I will say that much work of an executive character has been imposed upon the governor of the Territory of Oklahoma because of the opening of the Indian reservations there; and, as the Senator can easily understand, there will undoubtedly soon be a great amount of work imposed upon the governor in connection with the opening of the Cherokee Outlet to settlement. It has been impossible for him to meet these expenses with the appropriation provided for in the last annual appropriation bill.

* I do not know what the organic acts of the other Territories provide; but for the Territory of Oklahoma an annual sum of \$1,000 is provided for, and the governor finds it now, with the conditions as they are, impossible to get along with a less sum than that provided for by the organic act. I hope the amendment will be adopted.

Mr. COCKRELL. Judging from the number of applicants for appointment at no distant day for the position of governor of Oklahoma, I should think that this little increase in the appropriation for contingent expenses would be a matter of small consideration. I think the applicants for that office are more than willing to take it, with only \$500 appropriated for contingent expenses. As we have already appropriated for the current year, I think it is better to let the reform governor of that Territory have only the same amount his predecessor has had. I do not think the amendment ought to be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PERKINS].

The amendment was agreed to.

Mr. DUBOIS. I now offer the amendment which I submitted last evening, and which is printed in the RECORD of this morning.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 94, after line 21, it is proposed to insert:

And where the appropriation for clerk hire in the offices of surveyors-general is insufficient to enable the said officers to write minutes and make plats in such time as will permit the contractors to receive their pay for work performed within one year from its completion, the Commissioner of the General Land Office shall be, and is hereby, authorized to draw an amount sufficient for this purpose from the general appropriation allotted to the State: *Provided*, That the amount thus drawn shall, in no case, increase the allowance for clerk hire for any surveyor-general's office to more than double the amount directly appropriated for that office.

Mr. GORMAN. Mr. President, I should like to have some explanation of this amendment, which seems to double the amount of compensation now allowed by law to clerks to surveyors-general.

Mr. DAWES. I should like to hear what the amendment is.

The PRESIDING OFFICER. There is so much conversation in the Chamber and so much disorder that the Reporters cannot hear what is going on, nor can the Chair or anybody else. When order is restored the public business will proceed. [A pause.] The Senator from Maryland will proceed.

Mr. GORMAN. I stated that I should like to have some explanation in regard to the pending amendment. As I caught the drift of it as it was being read by the Secretary, it seemed to be practically doubling the amount of the allowance for clerks in the various offices of the surveyors-general. I should like to have some reason assigned as to the necessity of the amendment.

Mr. DUBOIS. I shall be very glad to give my reasons, and I trust the Senate will bear with me patiently while I briefly state them.

The new States have been granted large appropriations of land, and in that country settlement always goes hand in hand with the surveys. While we have been enabled, through the gen-

erosity of the Government, to have surveys made rapidly for the last two or three years, yet there is not a sufficient amount allowed for clerk hire in the office of the surveyor-general to work up the notes in order to complete the surveys, so that the State can have the advantage of the lands which have been granted and the settlers can get title to their lands.

The amendment does not propose any additional appropriation. It simply provides that the Commissioner of the General Land Office may divert a sum from the fund appropriated for surveys to clerk hire in a particular office, if it be necessary; that is, if in Idaho, for instance, the amount appropriated for clerk hire has been consumed, and the surveyor-general can make it appear to the satisfaction of the Commissioner of the General Land Office that a larger sum is needed, the Commissioner of the General Land Office may take the amount out of the fund which has been appropriated to Idaho for surveys of land and put it into clerk hire; provided that in no case shall the allowance for clerk hire be more than double the amount appropriated for that purpose for any surveyor-general's office.

Five thousand dollars was set apart for Idaho, and under no circumstances can the surveyor-general give more than \$5,000. In addition to that, the sum must come out of the amount already appropriated to Idaho for the survey of the lands in that State. If all the States and Territories could secure the full amount, it would not net \$75,000. My impression is that no more than \$25,000 or \$30,000 will be diverted from the fund for surveys to the fund for clerk hire.

Every representative from the Territories and from the new States is earnestly with me in favor of this amendment. I am not representing myself alone, but them. We shall not ask for any additional appropriation for clerk hire, as we have done heretofore. We shall be content with the provision contained in the amendment. It is perfectly guarded so that no misappropriation can be made.

Mr. DAWES. I inquire of the Senator if there has been any estimate or any communication from any of the Executive Departments in the matter of this amendment? Does it receive the approval of any of the officers of the Government who administer the land laws?

Mr. DUBOIS. I will state that it will be entirely satisfactory to the surveyors-general, and I understand, though I am not certain—I think the Senator from Montana [Mr. POWER] can state more positively as to that—that the Commissioner of the General Land Office is in favor of this provision.

Mr. DAWES. If the Senator has such a communication, I shall be very glad to have it read.

Mr. GORMAN. I should also like to hear it.

Mr. POWER. I asked the Commissioner of the General Land Office what steps were necessary to be taken to increase the force of the surveyors-general so as to make out the plats and minutes more promptly than the work is now done. It takes nearly two years for a deputy surveyor to get his pay after he furnishes the surveyor-general with the minutes and plats of the survey.

I have a general letter suggesting this amendment from the Commissioner of the General Land Office. This morning I showed the amendment of the Senator from Idaho [Mr. DUBOIS], which is printed in the RECORD, to the officers of the Department, and they said that it was satisfactory. I have no letter except a general letter covering the whole subject, which I can not now find. I think it is in my committee room.

I wish to say that the surveys in the new States are sadly demoralized on account of insufficient money to pay clerks in the office of the Surveyor-General. It seems to be the disposition of some members of Congress to paralyze the public survey. This was plainly stated in the other House in the Fifty-first Congress. It was said substantially, "We do not want the surveys, and consequently we shall not give you appropriations to do the clerical work, and the money will go back into the Treasury."

I desire to state to the Senator who has the bill in charge and to the Senate, that the four States of Idaho, Montana, Washington, and Wyoming have yet 150,000,000 acres of land to be surveyed. It is hard to get appropriations for surveys; and when we get the appropriations we are headed off because sufficient money is not appropriated to pay the clerks in the offices of the surveyors-general.

Mr. DAWES. Does the Senator mean to say that there is a public domain to the amount of 150,000,000 acres undisposed of in those States?

Mr. POWER. Yes; and mostly unappropriated and unsurveyed, and west of the Missouri River, from the south line to the north line, there are 400,000,000 acres unsurveyed, and for this reason a greater portion of it unappropriated.

Mr. DAWES. Mr. President, I never have felt myself competent to interfere in the disposition of the lands in the Western country; I have never been able to quite comprehend the com-

plicated system of the disposition of those lands, and I do not set up now any suggestion of my own.

The suggestion which comes here in the form of the pending amendment is an attempt on an appropriation bill to change the whole method, which comes from the Executive Departments, the administrative departments, and the lawmaking power. The law has prescribed how this thing shall be done, and the executive department having charge of the subject has made its estimate. The Committee on Appropriations in the other branch have appropriated what they in their judgment thought was sufficient. The Committee on Appropriations of the Senate thought it was a scant allowance, according to the light they had, and therefore up to a limit of what they thought was a possibility, they have increased the allowance.

Personally I have no objection to any arrangement the Senators from the four States named may ask of the Senate; but the Senate should understand that this is a surrender of the administrative feature of the Land Office to the wisdom of the Senators from those four States.

Mr. HANSBROUGH. I desire to state for the information of the Senate and the Senator from Massachusetts, that I recently had a conversation with the Assistant Commissioner of the General Land Office on this question, and he said to me positively that he believed it would be a very proper thing to do to carry out the proposition embraced in the amendment offered by the Senator from Idaho.

Mr. DAWES. It is to be regretted that the General Land Office, if it desires so radical a change as is here proposed, does not put itself on record, so that the legislative power can vindicate itself for the change. I make no objection myself to the amendment, however, because I do not know anything about the subject.

Mr. GORMAN. As I understand this case, in fixing the amount of clerk hire for Idaho and the other States, we have already made an increase of \$1,000 over the amount named in the bill as it came from the other House, and we have increased by \$300,000 or \$400,000—I have forgotten the exact amount, but it is a very large sum—the item for surveys of public lands.

Mr. CAREY. If the Senator will permit me to interject a remark, it takes about 20 per cent of the total cost of the surveys for clerical work; that is, making maps and making the notes so as to get the land in such shape that it can be entered by the entryman. The difficulty is that the amount is too small. While Congress has been quite liberal in other respects there is a shortage in the amount of money allowed for clerk hire. If the amendment were restricted in some way I think the objection to it would be removed. For instance, the Territory of Wyoming had apportioned, I think, \$36,000 last year for surveys. If you take one-fourth or one-fifth of that amount and devote it to clerk hire the work can be performed; but with the present allowance for clerk hire the work can not be finished after the surveys in the field have been completed.

Mr. GORMAN. On page 94 of the bill for the surveyor-general's office and their clerks there is so much appropriated for Arizona and so much for the other States and Territories. The specific amount there allowed have been ascertained and submitted in estimates of the Department, and we have acted upon the estimates here. In one or two cases we have increased the items. That is the direct way of getting at it.

If there is a case such as the Senator has in mind where there is not a sufficient amount appropriated and the Department has recommended an increase, let us make the appropriation directly for that purpose. But it is not the proper mode for Senators to come to the Senate and induce the Senate to increase the appropriations for the survey of public lands \$300,000, and then afterwards come in with a sweeping amendment and say that an indefinite amount may be taken from that appropriation for clerk hire. That is a system of legislation which ought not to obtain. I should not, as a minority member of the body, permit with my vote such a proposition to go through, and I should not vote for it if I were in the majority. If such a system of legislation should grow up it would be certain to be abused. The only safe way for Congress is to pursue the course we have pursued heretofore of fixing the amount for each office in each State and Territory.

I suggest to the Senator who offered this proposition that the form in which it comes is very bad and that it is liable to abuse. I have voted willingly to enlarge the appropriations for the survey of the public lands. I agree the surveys ought to be completed, and the country opened so that settlers can go on and get their homesteads; but I suggest that this method is very objectionable. Such a system grew up here for some years, but finally by the unanimous consent of both Houses of Congress, without regard to party, the abuse was stopped which gave such discretion to the gentleman in charge of the Land Office or the surveyors themselves.

If the Senator can produce a statement from the Department that an increase is necessary beyond that which has been recommended by the committee I shall be glad to consider it; but in this form it is certainly very objectionable.

I do not wish to raise the point of order on the amendment, although I think a point of order would hold against it, there being no estimate from a Department. But I shall do that if the Senators from those States, who know their affairs very much better than I do, will take the items in this bill, make their motions directly, and let us know precisely what amount we are appropriating. I think that would be very much better.

Mr. McPHERSON. If the Senator from Maryland will give me his attention for a moment, if we shall appropriate in this bill \$300,000 for surveys, does it not imply that the appropriation is to complete all the processes of the surveys, which would include clerk hire, or does it only mean to pay for men in the field in making measurements and directions, etc.?

Mr. GORMAN. I understand that no part of the amount for the survey of public lands can be used for clerk hire in the office of the surveyor-general. We fix for each surveyor-general's office a specific amount, which will be found on pages 94 and 95 of the bill, where the surveyors-general are given so much for salaries, so much for office rent, so much for clerk hire, etc.

Mr. McPHERSON. Then, according to the plan of the Senator, any additional amount to be used for clerk hire would have to be expressly appropriated for.

Mr. GORMAN. That is the point I make. That has been the system and the only one which can be adopted with any security to the Treasury. It will not do, in my judgment, to permit a surveyor-general, on his recommendation or on the recommendation of the Commissioner of the General Land Office, to regulate the amount to be expended.

Mr. CAREY. I should like to call the attention of the Senator from Maryland to the fact that in the Book of Estimates with reference to my own State, it is stated—

Mr. GORMAN. On what page?

Mr. CAREY. On page 63 it is stated that the General Land Office will start in at the beginning of the next fiscal year with a deficiency of \$7,000; in other words, it will require \$7,000 to complete the work in the office of the surveyors-general, which has been done in the field.

I can see, as the Senator from Maryland can see, a ground for his objection. There may be misrepresentations from the local offices; but since it costs, as I have stated, from 20 to 25 per cent to do the office work, I think there could be a limitation placed in the amendment, that of the amount appropriated there shall not be used over a certain percentage of the total amount for clerk hire. That, I think, would remove all the objection there can possibly be to the amendment.

Mr. GORMAN. As I said a moment ago, take the very item on page 63 of the Book of Estimates, where the note states that the estimate of \$5,500 for clerk hire is submitted as necessary for the proper transaction of the office work of the surveyors-general. That item is provided for in the bill, though not quite to that amount. If Senators desire to amend the bill, let them move to amend it by inserting a specific appropriation.

This thing of percentages I have never understood; and the distribution by percentages of amounts to be received as revenue to the Treasury, I confess, I have never been able to comprehend. They always mystify. The result of percentages of appropriations means that about all you can get out of the Treasury will come out.

I suggest that there will be ample time in the course of the next hour to enable Senators to offer amendments containing specific items in accordance with the Book of Estimates.

Mr. DUBOIS. I will ask the Senator from Maryland if it is not a fact that the maximum amount can not be more than is allowed by the specific appropriation?

Mr. GORMAN. That always means the whole of it.

Mr. DUBOIS. That can not be so, I will say to the distinguished Senator from Maryland, because in this case all the money is appropriated for the benefit of a particular State. Take Idaho, for instance. The appropriation is made either for surveys or for clerk hire in the office of the surveyor-general. I can see no advantage whatever in putting the amount in one fund or another, because it is all for the benefit of the State and all expended under the direction of the surveyor-general, anyway. In a word, the plats in some of the land offices are two years behind now, and the work is delayed on account of the lack of money for necessary clerk hire in the offices.

Mr. COCKRELL. Mr. President, I sympathize very cordially and heartily with Senators from the new States where there are large areas of unsurveyed public lands. The Senator from Montana [Mr. POWER], has stated the vast amount of unsurveyed public lands in that section of the country. The amounts given by him are correct; but it must be further remembered that con-

siderable portions of that land will probably never be surveyed, for it is situated on mountain tops and ranges, where there will be very little occasion for surveys, and in some places there will be no settlements for an indefinite period of time. That, however, does not dispense with the importance and necessity of having all the land, where there are actual settlers and actual inhabitants, surveyed and the plats made so that there shall be no arrears of business either in the office of the surveyor-general or in the local land office or in the General Land Office. All the arrears of business, by proper system and method could be brought to current work, and it should be done.

I do not know whether the fault in the offices of the surveyors-general is the same as it is in the Departments here, where it is always more clerks and more pay, instead of more work by the employes. I am satisfied that in many places, if the Government employes would work as do employes in private establishments, there would be no arrears of work.

I do not think this amendment ought to be insisted upon, but if it is I will suggest to the Senator who offered the pending amendment, an amendment which I shall offer to his amendment, which will to some extent obviate the difficulty which exists. I move to amend the amendment in line 11, by striking out after the word "amount," the words "directly appropriated" and inserting in lieu thereof, the words "specifically estimated." Let the amendment be stated from the desk.

The SECRETARY. In line 11, after the word "amount," it is proposed to strike out "directly appropriated," and insert "specifically estimated;" so as to read:

Provided, That the amount thus drawn shall, in no case, increase the allowance for clerk hire for any surveyor-general's office to more than double the amount specifically estimated for that office.

Mr. COCKRELL. Then I will move to strike out the word "double," in line 11; so as to read:

That the amount thus drawn shall, in no case, increase the allowance for clerk hire for any surveyor-general's office to more than the amount specifically estimated for that office.

Mr. DAWES. That will carry the Book of Estimates into the statutes, and it will be necessary to go to the Book of Estimates to ascertain the amount. The idea is all right, however, to conform the appropriations to the Book of Estimates.

Mr. COCKRELL. It is simply in the line of what the Senator from Maryland [Mr. GORMAN] suggested, that Senators should offer amendments proposing an increase to the amount estimated for. As a matter of course, if the amount is in excess of the estimates, a point of order would lie. I was simply trying to make this amendment conform to an amendment for an increase up to the amount estimated, so that it will not be liable to any objection. It is, of course, a very poor way of legislating to refer to the Book of Estimates, when we have a Book of Estimates and a supplemental one, and sometimes the amounts stated in one are greater than those stated in the other, and sometimes they vary in other particulars.

Mr. DAWES. The man-fashion way is for Senators to ascertain what are proper amounts, and then to offer amendments containing the specific amounts.

Mr. POWER. Mr. President, referring to the remarks of the Senator from Missouri [Mr. COCKRELL] about the mountainous lands in Montana, I wish to state for the information of the Senate that the surveys are more extensive in the mountains and on the mountain tops than they are on the plains. It is absolutely necessary to have those lands surveyed. Citizens of St. Louis, in the Senator's State, have the Granite Mountain mine on the very top of the Rocky Mountains, which has produced to the city of St. Louis millions and millions of money, and the same is true all along to the line of the Rocky Mountains.

Mr. COCKRELL. Wherever the land is mineral.

Mr. POWER. Wherever it is mineral.

Mr. COCKRELL. Of course.

Mr. POWER. Where the country is mineral it is prospected after the surveys are made all over the mountains, even more so than on the plains.

I would rather state that each year the surveyors-general make estimates for the clerical work, and the estimates are cut down. I inquired at the Interior Department why they were cut down, and I was told Congress only allowed \$10,000 last year and consequently they would not ask for any larger appropriation for this year. Then I inquired, why not ask for a supplemental estimate? That I have secured.

I wish to state, further, that the surveyors-general secure the best of clerks, and that they work regularly and industriously. They are interested in getting the land surveyed. I know that the clerks in the office of the surveyor-general in Montana render valuable service. They work earnestly and honestly, but they are insufficient in number to keep up the work.

The deputy contractors in Montana—and I have a list in my committee room which shows the fact—average eighteen months

in waiting for their pay. They come from the East, and some men in the State who take contracts for surveying there have to borrow money and pay 1 per cent per month for it. By this delay the efficiency of the work of the contractors is cut down from 20 to 25 per cent; and that is the reason why we ask for an appropriation sufficient to cover the expenses of clerk hire in the surveyor-general's office so that they can be paid their money within four or five months.

I went West in 1860 with a deputy surveying contractor and at that time the deputy contractor made arrangements not to pay his men until he received his pay. That survey was finished in four months, minutes written up, and plats completed. Since then the call for the minutes and the plats is more extensive and exacting; the work is consequently more extensive.

Mr. DAWES. I hope the Senator will withdraw his amendment and put it in a more specific shape while we are proceeding with other amendments.

Mr. ALLISON. Before the amendment is withdrawn I suggest to the Senator from Idaho that he limit this sum. What I understand is desired is that there shall be a sum beyond the amount specifically appropriated at some of these offices. I think there will be no great harm in providing that the Secretary of the Interior may specifically authorize an additional sum at any surveyor-general's office where the work is behind, not exceeding, say, 50 per cent more than is herein specifically appropriated. In that way it will give him such a fund as may be necessary to finish up the surveys. I think the amendment is too general as proposed.

Mr. GORMAN. If the Senator from Iowa will permit me, I suggested that a specific amount shall be stated where it is required, and not put a general fund in the Commissioner's hands.

Mr. ALLISON. I do not object to that.

Mr. GORMAN. I trust the Senator from Idaho will withdraw his amendment.

Mr. SHOUP. Mr. President, I merely wish to add a few words in addition to what was stated by my colleague. I am informed by the surveyor-general of my State that the contracts already completed and now on hand in his office, together with those in the field where contracts have been let and not yet returned, amount in the aggregate to about \$80,000. Hence the amount appropriated for office work is entirely insufficient.

Mr. DUBOIS. I appreciate the kindly feeling expressed by the Senators and acknowledge the force of their remarks in regard to the wording of the amendment. Following out their suggestions, I will withdraw the amendment and offer one for my own State. I suppose the other Senators from the new States will offer for their States amendments making an allowance of specific sums.

Mr. CHANDLER. I offer an amendment to the committee amendment on page 113, line 3. I move to add:

For carpets for court room and for clerk's office, and

And in line 5 to strike out "five" before "hundred" and insert "fifteen;" so that the clause if amended will read:

For carpets for court room and for clerk's office, and for furnishing the addition to the clerk's office with linoleum, desks, chairs, and other necessary articles of furniture, \$1,500.

That is the exact amount estimated for, and it is very much needed, I assure the Senator in charge of the bill.

Mr. COCKRELL. I hope the amendment will not be agreed to. It proposes to provide new carpet for the Court of Claims, and they can do a little while longer without it. We have examined all the items of the estimate; we have put in just what was necessary to furnish the addition there, and we did not want to go into other items.

Mr. CHANDLER. The estimate is a very small one, and I hope the Senator from Missouri will not object to the amendment. He said the committee examined the estimates. I am quite certain the committee did not examine the carpet. The Court of Claims is a court with very extended jurisdiction, engaged in large and very important business. I assure the Senator that the clerk's office and court room are not in a creditable condition for the amount of business that is transacted in that public office. I hope the chairman of the subcommittee will not object, but that the \$1,500 may go on the bill, and if the committee on conference will examine the carpet on the floor of the clerk's office and on the floor of the court room and compare it with those which are furnished in the legislative branch of the Government they will conclude to let the \$1,500 stand, I am sure.

The VICE-PRESIDENT. The amendment can only be passed upon by unanimous consent.

Mr. CHANDLER. It is an estimated amount.

The VICE-PRESIDENT. It is an amendment to a committee amendment which has already been agreed to, and would change the force of that amendment to a certain extent.

Mr. CHANDLER. I shall ask to have the committee's amend-

ment reconsidered, because I certainly understood that after the bill was gone through an amendment to any amendment of the committee would be received.

The VICE-PRESIDENT. What is the request made by the Senator from New Hampshire?

Mr. CHANDLER. I move the amendment. I do not think anyone will make a point of order on it.

Mr. DAWES. What is the trouble? Why can we not dispose of the amendment?

Mr. CHANDLER. The Chair suggests that it is out of order because the committee amendment has already been agreed to.

Mr. DAWES. The Chair is laboring under a mistake.

The VICE-PRESIDENT. The amendment of the committee has already been agreed to, the Chair is informed.

Mr. DAWES. I understand the point. I suggest to the Senator from New Hampshire that he do not press this amendment. The Court of Claims, like all other Departments of the Government, ought to recognize the fact that they are about going into an atmosphere of Jeffersonian simplicity, and they ought to set the example to the other Departments to acquiesce, and not insist upon it that they alone shall have new carpets under the new dispensation.

Mr. CHANDLER. I am trying to take the suggestion of the Senator from Massachusetts, although I do not quite understand which Senator objects to the amendment, whether I ought to withdraw it in deference to the Senator from Missouri [Mr. COCKRELL] or in deference to the Senator from Massachusetts [Mr. DAWES], but if the committee objects to the amendment I will not press it, although this is a very little matter, and a carpet is very much needed.

Mr. GORMAN. I understand that the amendment is withdrawn.

The VICE-PRESIDENT. The Chair understands that the Senator from New Hampshire withdraws his amendment.

Mr. GORMAN. I yield to the Senator from Montana [Mr. POWER] to offer an amendment.

Mr. POWER. I wish to offer an amendment. On page 96, line 9, I move to strike out "eight," and insert "twelve;" and in line 10, to strike out "ten" and insert "fourteen;" so as to read:

For surveyor-general of Montana, \$2,000; and for the clerks in his office, \$12,000; in all, \$14,000.

Mr. GORMAN. Is that within the estimate?

Mr. POWER. Yes, sir.

Mr. GORMAN. I ask the Senator from Montana whether he has the estimate of the Department before him?

Mr. POWER. I have it here.

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

Mr. COCKRELL. Is it simply a letter from the Commissioner of the General Land Offices, or is it a regular estimate of the Secretary of the Treasury?

Mr. POWER. It is a supplemental estimate added to the original estimate.

Mr. DAWES. I suggest to the Senator from Montana not to press his amendment until this whole matter can be adjusted.

Mr. GORMAN. It is one of a series of amendments, and they should come in together.

Mr. COCKRELL. If it is a mere letter from the Commissioner of the General Land Office it is no estimate. It must come here under the sanction of the Secretary of the Treasury, having been certified to him by the Secretary of the Interior, and not from the Commissioner of the General Land Office.

Mr. DAWES. This estimate comes through the Secretary of the Treasury for what it is worth. It seems to me that taking this question up by piecemeal is not the way to treat it.

Mr. POWER. We tried to take it up the other way. This was the Senator's suggestion.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Montana [Mr. POWER].

The amendment was agreed to.

Mr. DUBOIS. I move an amendment on page 95, line 22, to strike out the words "five thousand dollars" and insert "seven thousand dollars;" and in line 23, to strike out "\$7,000" and insert "\$9,500;" so as to read:

For surveyor-general of Idaho, \$2,000; and for the clerks in his office, \$7,500; in all, \$9,500.

Mr. DAWES. The point of order would rest against the amendment, but if it is the result of the conference suggested I will not raise the point of order.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho [Mr. DUBOIS].

The amendment was agreed to.

Mr. CAREY. I move, in line 7, page 98, to strike out "four thousand" and insert "seven thousand five hundred;" and in

line 8, I move to strike out "six thousand," and insert "nine thousand five hundred;" so as to read:

For surveyor-general of Wyoming, \$2,000; and for the clerks in his office \$7,500; in all, \$9,500.

The amendment was agreed to.

Mr. HANSBROUGH. I move to strike out the word "five," in line 1, page 97, and insert "six," and in line 2 to strike out "seven" and insert "eight;" so as to read:

For surveyor-general of North Dakota, \$2,000; and for the clerks in his office, \$4,000; in all, \$8,000.

The amendment was agreed to.

Mr. HANSBROUGH. On the same page, line 13, I move to strike out "seven" and insert "nine;" and in line 14 to strike out "nine" and insert "eleven;" so as to read:

For surveyor-general of South Dakota, \$2,000; and for the clerks in his office, \$9,000; in all, \$11,000.

The amendment was agreed to.

Mr. HANSBROUGH. Both of these amendments are within the estimate.

Mr. DUBOIS. I wish to move an amendment in the absence of the Senators from Washington and at the request of the Senator from Washington [Mr. SQUIRE], who is unavoidably absent at this time.

I know the condition in that State and the increase of the appropriation that I propose is very necessary. I move in line 1, page 98, to strike out "seven" and insert "ten," and in line 2, to strike out "nine" and insert "twelve;" so as to read:

For surveyor-general of Washington, \$2,000; and for the clerks in his office \$10,500; in all, \$12,500.

The amendment was agreed to.

Mr. STEWART. I move on page 96, line 15, to strike out "one thousand" and insert "twenty-five hundred," and as a part of the same amendment in line 16 I move to strike out "two thousand" and insert "four thousand three hundred;" so as to read:

For surveyor-general of Nevada, \$1,800; and for the clerks in his office, \$2,500; in all, \$4,300.

Mr. DAWES. I should like to inquire if that is the estimate.

Mr. STEWART. That is the estimate.

The amendment was agreed to.

Mr. MITCHELL. In line 8, page 97, I move to strike out "three," and insert "four," and in the same line to strike out "five," and insert "six;" so as to read:

For surveyor-general of Oregon, \$2,000; and for the clerks in his office, \$4,000; in all, \$6,000.

My amendment simply increases the appropriation \$1,000.

Mr. DAWES. It is within the estimate?

Mr. MITCHELL. Yes; it is the estimate.

The amendment was agreed to.

Mr. PERKINS. On page 93, after the word "dollars," in line 21, I move to insert—

Mr. DAWES. The language in italics has been stricken out. Mr. PERKINS. Then my amendment would follow the word "dollars," in line 16.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 93, line 16, after the word "dollars," insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, for the use of the Interior Department of the Government, premises situated on the corner of Third and G streets northwest, in the city of Washington, D. C., comprising lot 1 and the north 81 feet of lot 2, in square 529: *Provided*, That said premises can be purchased for a sum not exceeding \$175,000, and that a valid title to the same, to be certified by the Attorney-General, can be obtained. And for this purpose the sum of \$175,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated: *And provided further*, That upon an examination authorized by the Secretary of the Interior, the building upon said lots shall be found to be constructed in a substantial manner and suitable for the use of the Government.

Mr. DAWES. Will the Senator from Kansas state what lot that is?

Mr. PERKINS. It is the property at the corner of G and Third streets, used by the Census Office last year. I will state that I have an understanding with the chairman of the committee that no point of order will be made against this amendment, although I did not have that arrangement with the Senator in charge of the bill. So it is perhaps open to that objection; but I desire to say in support of the amendment that this property is known probably to every Senator upon this floor. It is a stone and brick building, situated at the corner of G and Third streets, in this city, not far from the Pension building. It was used for a year or more by the Census Bureau, and is in part used for that purpose at this time. It is a five-story brick and stone building above the basement.

It covers 7,273 feet of ground space and has in the aggregate something over 42,000 feet of floor space, including the walls. The most of that building, or half of it at least, was constructed for the use of the Government. It is supposed to be absolutely

fireproof. It was constructed under the supervision of a Government officer and, in fact, the entire building was constructed under the supervision of the Government officer of the District, so that it might be substantial, safe, and well ventilated and wholesome for those employed therein. It is suitable for governmental purposes, and the purpose of this amendment is to provide accommodations for the Geological Survey.

Maj. Powell, the superior officer of that Bureau, has inspected personally this building, and I am informed that he is pleased with its construction and pleased with the internal arrangement, or, at least, has signified to the owner of it that he would be glad to have this building secured, so that his Bureau might have permanent accommodations in the building. The price fixed in the amendment is considered by those who have had the opportunity of examining the property as reasonable; \$175,000 secures this building with the ground. It is isolated so that it has splendid ventilation and air from all directions. It is accommodated with three elevators of the Whittier Machine Company make, and is completed with fire escapes, with interior walls, and with iron girders, and, in the judgment, as I have suggested, of those who have investigated it, a good investment for the Government. It has four boilers, electric wires for lighting, and most modern improvements.

I desire to say that the Government is paying at this time for the accommodation of this Bureau something in excess of \$14,000 rental each year, and yet the accommodations now secured for the Bureau are not sufficient. Maj. Powell, the superior officer of the Bureau, is asking for additional accommodations. The rental that the Government of the United States is paying annually for the accommodation of the Interior Department exceeds \$61,000 a little. It is as follows:

Pension agency	\$1,280
Richmond Building, Eighth and G (Education)	4,000
Bulkley Building, Eighth and G (Land Office)	2,000
Warder Building, Eleventh and G (Land Office)	2,800
Hooe Building, F, between Thirteenth and Fourteenth (Geological Survey)	10,000
Adams Building, F, between Thirteenth and Fourteenth (Geological Survey)	4,500
Atlantic Building, F, between Ninth and Tenth (Indian Affairs)	6,000
Howard University building (Freedman's)	4,000
Inter-Ocean Building, between E and F (Census)	19,000
Part of Harrison Flats (Census)	5,500
Central Methodist Church, Ninth, between E and F (Census)	1,900
Basement of McDowell's building	600

Making an aggregate of \$61,380 that the Government of the United States is paying annually, or in rental, for the accommodation of the Interior Department in this city alone.

From the statement that I have made it will be seen that the Government is now paying \$14,200 for the accommodation of the Geological Survey, and yet the accommodations are not sufficient, and the officer is asking for additional room. The interest upon the money used to purchase the property that I have called the attention of the Senate to, if purchased, would be less than \$5,000, or about that, at 3 per cent, and the purchase of this property secures for this Bureau and for the Department ample room and accommodations that are well designed for the purposes suggested.

I have here a letter from the Secretary of the Interior, addressed to the chairman of the committee, Senator ALLISON, calling the attention of the committee to this property and advising its purchase. The amendment that I have offered, as will be observed by Senators, provides that this property is not to be accepted until it has been ascertained that the title is complete and until there has been an examination thereof by an officer representing the Interior Department and the property found safe and secure and well designed for governmental purposes.

I only desire to call the attention of the Senate to the remarks made by the Senator from Missouri [Mr. VEST] day before yesterday, in which he emphasized the necessity and propriety of the Government of the United States owning its buildings for the accommodation of these bureaus. That we should be paying annually \$61,000 and more for the accommodation of one Department of the Government alone seems to me remarkable when these buildings can be constructed or purchased, well designed for the accommodation of the Department, and save annually this great expense and save thousands and thousands of dollars in the end to the Government of the United States. In this capital city the Government should own all buildings needed for its permanent departments and bureaus. I ask, without consuming time, that the letter of the Secretary may be read.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Secretary will read the letter.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 16, 1903.

SIR: The attention of the Department has been directed to a bill (No. 3572) now pending in the Senate providing for the purchase by the Government,

for the use of the Department of the Interior, of the premises situated on the corner of Third and G streets northwest, and adjoining two lots on G street, in this city.

This building has recently been examined by the Director of the Geological Survey, who finds that it is adapted to the purposes of his office, and he verbally recommends the purchase, as provided in the bill above referred to. The Government is paying rental for the buildings now occupied by the Survey at the rate of \$14,300 per year, and it would seem to be desirable that provision should be made for permanent quarters for that office in a building owned by the United States.

Very respectfully,

JOHN W. NOBLE, *Secretary.*

Hon. WILLIAM B. ALLISON,

Chairman Committee on Appropriations, United States Senate.

Mr. DAWES. I think it is proper I should state that if this building be purchased for the use of the Geological Survey, Maj. Powell called on me a day or two since and said that after a further examination of the premises, he is satisfied that they are not sufficient for the needs of that Survey, and it would be necessary to purchase additional ground. He said if the additional ground which was in the market could be purchased, and was purchased, it would be made ample and convenient for the Geological Survey, but without it I understood that it would not meet the requirements of the office.

Mr. PERKINS. I will say in answer to the Senator from Massachusetts that the option has been secured as I understand it upon the additional ground, and I will embrace it as part of my amendment if desired, but I did not do that because it did not occur to me as necessary, but if desired my amendment can be corrected or enlarged so as to embrace the additional ground.

Mr. DAWES. I felt that I ought to make this statement from Maj. Powell. If the option upon the other land, or some claim upon it, could go along with this provision, it would certainly meet the views of Maj. Powell.

Mr. PERKINS. The parties have an option and the additional ground spoken of by the Senator from Massachusetts can be secured as I am advised and informed for about \$16,000 or a little more; but I did not make it a part of this amendment for the reason that I have suggested.

Mr. VOORHEES. Mr. President, I hope the amendment of the Senator from Kansas will be adopted. On general principles I am for buying and owning property rather than paying for it in the way of rent and then not owning it. There is no worse policy than that which we have been pursuing, of paying enormous rents five years, ten years, twenty years, and directly finding that we have paid out enough money to own the buildings we have been occupying but at the same time having nothing to show for our expenditures.

I have no doubt the amendment offered by the Senator from Kansas is safely guarded. It should be, and I have no doubt it is. Being safely guarded, the policy is a wise one. Wherever a good purchase can be made, make it and stop the rent. Rent brings nothing; a purchase gives us a permanent place for our work.

The fact must be appreciated by all that the expansion of the business of this Government is immense. It increases from year to year. We are all called upon to observe that fact in making our appropriations. I surely have no more disposition to appropriate money than any one else, but the public interests are more often subserved by a liberal expenditure of money at the proper time than by the contrary policy. I hope that this and all other proposed purchases, cutting down the rent and giving permanent occupancy to employes of the Government will be favorably considered.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PERKINS].

The amendment was agreed to.

Mr. GORMAN. We had under discussion yesterday or the day before an amendment on page 7, providing for twenty-five additional clerks to Senators at \$1,265 per annum. By the vote of the Senate I have the right to assume that it is the almost unanimous desire of the Senate that that provision shall remain in the bill and that provision shall be made for the employment of those clerks. It is also suggested by some Senators that in the form in which it stands probably injustice would be done to clerks of committees who are not annual clerks.

With a view of having the whole matter completely and fairly adjusted between the two Houses, and with that view alone, I move to strike out on page 13, lines 3, 4, and 5 of the bill which provide for thirty-six committee clerks at \$6 a day each during the session, \$45,144. Those are the session clerks in the other House. I shall follow that amendment with a motion to strike out on page 7, lines 17 to 19, the words:

For twenty-four clerks to committees, at \$6 per day each during the session, \$30,096.

If both of these clauses are stricken out, leaving the one that was inserted on the motion of the Senator from Connecticut [Mr. HAWLEY] to remain, it brings the whole question into conference between the two Houses as to the pay of the session clerks,

as well as the clerks of Senators who have no chairmanships of committees. In that way I think we shall be able to adjust the matter, and that is the only way in which we can fairly adjust it. It leaves the whole matter open as to whether they shall be annuals, and how many for each body. Therefore, I move to strike out, on page 13, lines 3, 4, and 5.

The PRESIDING OFFICER. The Secretary will state the first amendment of the Senator from Maryland.

The CHIEF CLERK. On page 13 strike out lines 3, 4, and 5, in the following words:

For thirty-six clerks to committees, at \$6 each per day during the session, \$45,144.

The amendment was agreed to.

Mr. GORMAN. Now, on page 7 I move to strike out lines 17, 18, and 19, in the following words:

For twenty-four clerks to committees, at \$6 per day each during the session, \$30,096.

Mr. HAWLEY. I make no objection whatever. The Senator knows how the Senate felt about the amendment I offered, and I am willing to trust the matter in his hands.

Mr. GORMAN. The amendment of the Senator from Connecticut remains in the bill. I do not move to strike that out.

Mr. HAWLEY. I am willing to leave the matter in the Senator's hands.

The amendment was agreed to.

Mr. GORMAN. I have one more amendment to offer. On page 109, after "employés," in line 4, I move to strike out:

And for expenses connected with the investigation relating to the slums of cities authorized by joint resolution approved July 20, 1892.

I move the amendment because in a communication from the Commissioner of Labor since the debate a few days since he states that under the joint resolution approved July 20, 1892, appropriating \$20,000 to make this investigation, only about \$766.12 of that amount has been expended. The words I move to strike out have no place in the bill. The Commissioner himself desires that they shall be stricken out.

Mr. PEPPER. Mr. President, in reference to the amendment proposed by the Senator from Maryland [Mr. GORMAN], on page 109, I wish to express the hope that it will not be adopted.

This appropriation is for work ordered to be done by a joint resolution of Congress under the supervision of the Bureau of Labor.

In connection with the amendment, I wish to impress upon the minds of Senators who have not thought much about it that the work is ordered to be done under the supervision of the Labor Bureau at the earnest request and solicitation of a very large number of worthy people in this country, and as it is treated somewhat lightly by Senators, yet in the judgment of those persons who asked for it it is a very important matter. The examination of the condition of the laboring people of this country, and especially that portion of them who are confined to close quarters, huddled together in tenement houses, and in the most inconvenient and unhealthy portions of the large cities of the country, is a matter appealing strongly to our sense of philanthropy and to the sense of justice of the people generally.

It has been suggested upon the part of some Senators objecting to this particular work that the proceeding is a novel one, that it is out of the usual order, and that no legislation could be based upon it. In reference to that, I would say this kind of work is not a new departure. Under the direction of Congress and of the Departments of the Government, officers have been investigating the diseases of animals. Officers of the Agricultural Department have been, in my own State, in the State of Nebraska, in all the States of the Northwest, and the States of the East as well, investigating the diseases of cattle in cases of pleuro-pneumonia, and of horses in cases of glanders. They have also been examining diseases of swine, cholera, and of sheep for different diseases.

All these things we regard as particularly important, I think, without a dissenting voice upon this floor, and yet when we ask that the diseases, or the conditions, if that is a better word, of the poor people in the slums of the cities, in the unhealthy districts that I spoke of awhile ago, Senators are disposed to object.

We have now in our large packing establishments a little army of men and women engaged in the inspection and the marking of meat.

If the Government of the United States has nothing to do with the examination of the condition of the people and if it must be done by the States, why do we not ask the State of Missouri to take care of the inspection of meat at Kansas City in that State? Why do we not require the State of Kansas to take care of the inspection of meats at Kansas City, Kans.? Why do we not require the same thing to be done in Nebraska in reference to Omaha? Why do we not require the State of Illinois to pay the

expenses of this sort of work at Chicago, and so on all along the line?

Mr. President, we have gone so far in some cases as to direct our officers to destroy animals affected with diseases, and to burn property, to burn the buildings in which they were kept during the time of their disease. This body some three years ago, if my memory serves me well, appointed a committee, at the head of which was the distinguished Senator from Missouri [Mr. VEST], to examine into charges concerning alleged combinations of the meat-packers of the country. Why was not the State of Illinois requested by this body to look into that matter at Chicago, why was not the State of Missouri required to look after it at Kansas City, and why was not Nebraska required to take care of Omaha, and so on through the list?

Mr. President, the whole country is interested in this matter, and it is for that reason, and that reason alone, I presume, that the Congress and the two Houses separately have acted so frequently in reference to the same subject.

Still further, the people of this country, by reason of the extension of commerce, by reason of the diversity of interests among the people, have come to be interdependent one upon the other; Kansas wool and Massachusetts cloth, the oranges of Florida and the wheat of Minnesota, the fruits of California and the iron of Pennsylvania. They are interdependent; they are related, one portion of the country with the other, and the different institutions of the country one with the other.

In reference to this matter concerning which the appropriation is proposed, the laboring interests of the country are still more closely related in different parts of the country than any other department that the mind rests upon. We have the working masses everywhere. Our large cities are being multiplied with wonderful rapidity. Never in the history of the world has there been such marvelous progress, such expansion of population as in the United States of America. We have now at Chicago, at St. Louis, at Cincinnati, at San Francisco, and other places in the Western States, in addition to the great cities of the East, large cities; they are scattered all over the country, and the condition of the working people appeals strongly to the masses and to the legislator.

It is the Master's doctrine, and when I say the Master I mean the lowly Nazarene, He who spake as never man spake—the doctrine of the Carpenter's Son, that the lowly shall be cared for, the poor that we have always with us.

The doctrine of the Knights of Labor is the true doctrine, Mr. President, that an injury of one is the concern of all. Here are these people who have no help. They have no friend at court. They ask now that their case be looked after.

There is something further than that. We are largely responsible for these conditions. It is said and was said on this floor within the last three or four days, I have forgotten just when it was, that it is the duty of the several States to take action in this matter; but suppose that they do not take such action. In the bill which was so carefully drawn and defended by the Senator who now occupies the chair [Mr. HARRIS], in relation to epidemic diseases, it was provided that where the States do not act, then Congress may act, and in this case the States are not acting. It therefore becomes our duty to do so, and upon the principle that we are all interested.

Mr. President, there is another thing about this. The two great political parties of the country sent out their speakers and their writers among the people, and their platforms were published and spread broadcast as literature for the voters to read. One of the great parties has been teaching us, year after year, campaign after campaign, that there is a great deal of destitution in the great cities of the country, and that the tariff legislation of Congress has been largely responsible for it; that our protective tariff legislation has been largely responsible for this condition of things in the large cities. If that be true, it is by reason of national legislation, something that Congress has done, and that Congress has taken jurisdiction over. On the other hand, the opposing party has claimed continuously and quite as zealously and eloquently, that the charge made by their opponents was untrue, that no such condition of things exists in the country.

I am told, and I believe the statement is correct, that upon a very careful estimate recently published in one of our metropolitan magazines, the evictions of poor men and women from their homes in the city of New York during the last year and for several years preceding, exceeded the number of evictions in Ireland during the same period, and yet all parties in this country have been eloquent and pathetic in appeals to their neighbors concerning the evictions in Ireland. If that is true in New York, it is equally true in many of the other large cities.

Now, Mr. President, I appeal to the Senate in the name of our advancing civilization to give to these poor people all that we can give by way of showing to the country the exact condition

existing in the slums of the cities, in order that having the facts before us we may take such action as in the premises seems to be proper. That is all that I care to say now. There is much else upon the subject in my mind, and that I would be pleased to call the attention of the Senate to were it not that we are so near the close of the session, but I will forbear. The importance of the subject is my excuse for occupying the time of the Senate so long.

Mr. KYLE. Mr. President, we have evidently been laboring under a misapprehension in regard to the provision here for the investigation of the slums of the cities. A few days ago when the amendment of the Committee on Appropriations was under consideration I took the ground that we had last summer appropriated \$20,000 for this specific purpose and that therefore we ought not to add to the \$47,000 mentioned here in line 7, page 109, the \$20,000 additional proposed by the committee. I still hold to this view. I have here a letter from the Commissioner of Labor himself, Mr. Wright, stating that the language placed in the bill on page 109 is not in accordance with his wish. His letter I will read in full. It is as follows:

DEPARTMENT OF LABOR, Washington, D. C., February 24, 1893.

DEAR SIR: Noticing the debate in the Senate yesterday relative to an amendment adding \$20,000 to our miscellaneous appropriation of \$47,500, I find that you are laboring under a wrong impression, and I take the privilege of correcting that impression.

You state, as reported on page 2193 of CONGRESSIONAL RECORD, No. 58, as follows: "And I take it for granted that he has expended that amount in the work," referring to the \$20,000 appropriated in joint resolution approved July 20, 1892, providing for an investigation of the slums of cities. I have expended, including this month, only \$766.12 of that amount, and this for preparatory work, as it has been impossible for me to take up this investigation until recently. The object of the amendment placed in the legislative bill by the House committee, as shown in lines 14, 15, and 16, page 104, of H. R. 10331, as it passed the House, which amendment is as follows: "And for expenses connected with the investigation relating to the slums of cities authorized by joint resolution approved July 20, 1892," was simply to enable me to pay the expenses of our regular force when employed in this investigation, as by a recent ruling of the Treasury Department without such language I could not do this. The words referred to make no further appropriation for the slum investigation. The amount, \$47,500, is barely sufficient to carry along the work of the Department, and it was not increased for the purposes of the slum investigation. I have collected no facts under the joint resolution of July 20, 1892, and have therefore made no report under it. I trust the \$47,500 can remain intact, as it is the sum that has usually been appropriated for the expenses of agents, etc., in the field, and without which the work of the Department could not be carried on for a day; and, as I have said, it is barely sufficient, independent of the slum investigation.

I am, very respectfully,

CARROLL D. WRIGHT,
Commissioner.

Hon. A. P. GORMAN, United States Senate.

We understand from this letter that only a small portion, \$766.12 of the \$20,000 set aside last summer by the joint resolution has been used, and this investigation can still be made under that resolution. Therefore I ask that the \$47,500 appropriated in the bill be retained and that the words indicated by the Senator from Maryland be stricken out.

Mr. GORMAN. The Senator understands that I have not made the motion to reduce the appropriation of \$47,500. That will remain in the bill if my amendment is adopted.

Mr. KYLE. Certainly.

Mr. CALL. Mr. President, I hope that this \$20,000 appropriation will not be stricken out of the bill. I wish to submit a few observations to the Senate in reference to the great importance of this character of investigation in the light of facts which have been revealed to us by the statistical tables of our own and other countries.

I find in the report of the Bureau of Statistics of the State of New York the following statement:

Under the census of 1890 the population returned for the State was 5,082,871; under the census of 1880 the population returned was 5,997,853, showing an increase of 914,982, or 15 per cent, during the decade.

Again, under the census of 1880 there were in this State 60 cities or villages of 4,000 or more inhabitants, with an aggregate population of 2,743,632; whereas under the census of 1890 there are 84 such cities or villages, with an aggregate population of 3,805,577.

By the census definition this would show an increase of 1,061,945, or 38.70 per cent, in the "urban population," as against an increase of only 914,982, or 18 per cent, in the total population of the State; consequently a decrease of 146,963, or 6.28 per cent, in the "rural population." But if an account be taken of the population in 1880 of the 24 villages which had then less and now have more than 4,000 inhabitants, it will be found that the decrease of rural population was 66,735, or 2.94 per cent.

From the Federal census it appears furthermore that of the sixty counties in the State of New York forty-four show a decrease and sixteen show an increase of rural population, so called. A large portion of the total increase, however, amounting in the aggregate to 23,493, is shown by the two counties of Queens and Westchester, which are practically suburbs of the city of New York, while another large portion, aggregating 14,181, is shown by the two counties of Rockland and Suffolk, whose growth is evidently also in a great measure the result of their proximity to the metropolis.

Mr. President, the decrease of the rural and agricultural population of the United States seems to be general throughout the country. There are estimates which have been made by an employé of the Agricultural Department showing that under the modern improvements in methods of agriculture, improved machinery and implements of agriculture, the present area of

cultivation may be maintained at its present condition of efficiency with one-third, or 33½ per cent, of the present amount of labor, or of the present number of persons engaged in agricultural pursuits; that the tendency, therefore, to the great cities of the country is caused by the disappearance of the necessity and the opportunity for employment in agricultural pursuits.

COUNTRY DIMINISHES, CITIES INCREASE.

We find that these are facts not confined to the United States, but they illustrate the tendency of our modern civilization to the congregation of large bodies of unemployed men in the great cities. This is a feature of civilization that is full of danger, and one that requires the most careful and the most extended investigation by those who are charged with the responsibility of making the laws, the laws which regulate commercial intercourse, foreign and interstate commerce; the prevention of contagious and epidemic diseases; the laws by which national taxes are imposed for national revenues. This congregation of great numbers of persons beyond the means of support in the great cities of the world is becoming a menace to our civilization and to the preservation of republican government and free institutions; and the causes which produce it must be discovered and eradicated.

POVERTY AND RACE DEGENERACY.

I read from a very carefully compiled book a few extracts. The title of the book is *Labor and Life of the People*, published in London, by the distinguished philanthropist, Charles Booth:

There is a strong conviction in the minds of many, incapable, however, of strict verification, that Londoners tend to die out after the second or at least the third generation. If this is so, clearly the structural change which is continually going on in London in consequence of the admixture of outside elements is powerfully operating to keep up the excess of births over deaths which might even conceivably change into an excess of deaths over births if London were left alone, as was actually the case, according to Prof. Thorold Rogers, during the seventeenth century.

Thus London is to a great extent nourished by the literal consumption of bone and sinew from the country; by the absorption every year of large numbers of persons of stronger physique, who leaven the whole mass, largely direct the industries, raise the standard of health and comfort, and keep up the rate of growth of the great city only to give place in their turn to a fresh set of recruits, after London life for one or two generations has reduced them to the level of those among whom they live.

That is, in the process of extinction. This book contains statistics which I will not delay the Senate to read, by which, however, it is shown that there is a general setting or current towards the great centers.

Immigration into London may be roughly classified under two heads—drift and current. By drift I mean the general "set" towards a great center, carrying with it the restless and unsettled spirits with vague ambitions rather than definite aims, and bearing on its surface not a little of the social wreckage of the provinces. By current I mean the immigration of individuals, often the cream of their native counties, moving to London to seek a distinct economic advantage.

The fact, appearing from these statistics, which I will print in the RECORD, is that there is a population in London of 1,403,65 people out of 4,209,170 in the extreme of poverty, without the necessities of life, with only a sufficient portion capable of sustaining a bare existence. And while considering this fact we must bear in mind the fact that London compares in all respects favorably with other cities, and the economies and civilization of England is inferior in its beneficial influences to no other upon the earth.

SUMMARY.

Position.	Population.	Percentage of poverty.
City.....	42,561	31
Central part of East London.....	367,057	44
Eastern part of East London.....	328,361	32
Northern part of East London.....	196,121	24
Central part of North London.....	225,330	43
Northern part of North London.....	353,642	32
Central part of West London.....	371,091	21
Western part of West London.....	483,298	25
Northern part of West London.....	287,220	25
Central part of South London.....	387,248	47
Eastern part of South London.....	362,338	32
Southern part of South London.....	435,667	22
Western part of South London.....	369,241	27
Total.....	4,209,170	31

The question occurs, how long can this be continued? How long can it be that there can be a constant drift from the country, where there is health and strength and comparative comfort, to the great cities of this country and Europe under conditions which are tending to the extinction of the human race, conditions of life where extreme want presses upon the masses of the people, where the worst forms of disease are engendered, where the degeneracy of the human race on account of economic conditions becomes a fixed fact, as shown by the statistics—1,403,65

people out of a population 4,000,000 in the extreme of poverty, an increase in our great city of New York under conditions somewhat similar as estimated by this report of the Department of Labor of from 30 to 60 per cent in the last decade.

Mr. President, this is a significant fact if it be true, and it is important to know whether it is true or not, for it affects the whole population of the United States. The tendency is everywhere from the country to the city; the means of employment in the country are disappearing; the area of production and cultivation is being occupied with a smaller number of laborers in consequence of new improvements and the new inventions which are being used. This provision of the appropriation bill proposes to investigate these facts, in order to ascertain the condition in which the people of our great cities will be found.

It is true the use of the word "slums" is, I think, an inappropriate one, but the condition of that great mass of people who are without homes, who are without regular employment in the great cities of the country, the inflow from the country to the cities, the condition in respect to contagious and epidemic diseases, which comes specially within the province of a committee of this body, but which is still a branch of this inquiry, and the general status of these people, all of these are to be investigated through the Department of Labor. I should prefer that should be done by a committee of this body.

Mr. President, I read from a very remarkable production upon this subject, of one of the great men of the country, who was invited to commemorate the donation by the celebrated Englishman, John Smithson, which is the foundation, under the legislation of Congress, of the Smithsonian Institution, to the American people for the increase and diffusion of knowledge amongst men. Amongst the remarkable addresses which were then made there is one of peculiar force and beauty, and I will venture to read a portion of it, and to ask, if there be no objection, that it may be printed in the RECORD as a part of my remarks.

THE SHADOWS OF THE EMPIRE.

It is evident that our time is one of revolt at existing conditions, of general discontent, of belief that the tendency of all our economies is toward the creation of aristocracy, of privileged classes, of the accumulation by the few of the proceeds of labor, of great wealth by a small number, and general poverty and distress of the great body of the people.

This has been the result of all previous institutions, economics, and civilizations.

Poverty and pauperism has grown in increasing proportions until it has been estimated that it has attained in the highly civilized countries of the Old World the colossal proportion of eighty millions of people who have no homes, no property, no employment. Who pass their lives from birth to death in extremewant and suffering. Into the vortex of this maelstrom of human misery a never ceasing tide of humanity—many of them from the better-fed classes—is ever pouring.

POVERTY AND PAUPERISM.

If we would faithfully perform the duty devolved upon us of expounding this will, we must transport ourselves for that purpose to the British Islands, that we may contemplate the condition of men from the point of view occupied by the testator. He had immediately around him the population of his own country, and the swarms of the neighboring continent were nearly under his eye. We must pause upon the prospect which lay before and around him. If we would know the good he designed to accomplish, we must look at the evils and the miseries which awakened his sympathies. Of the scene presented to his view, he could not be an unmoved spectator. He beheld one-half his fellow-subjects in abject poverty, of whom a very large proportion were in a state of hopeless and utter destitution. He beheld them degraded in mind as well as wretched in body. The wallings of misery, the cries of hunger, and the deep murmurings of discontent assailed his ear from all sides. He saw that the regular labor and the regular food of slavery would be a boon to millions of his countrymen.

He saw multitudes on multitudes crowding into the close air of manufactories, or delving far below the surface of the earth in mines, and by their labor swelling the mighty sum of British exports, but scarce securing by that labor the boon of food and raiment—strangers alike as they were to comfort and peace of mind.

All this he beheld in a land whose chart of liberty has been the boast of centuries. In a land whose princes, nobles, gentry, merchants, and manufacturers exhibited a wealth to which past and present time can furnish no parallel. In a land whose constitution professed to embrace the interests and well being of all classes; in which the Christian religion was established by law, and its chief ministers paid with a liberality without example; in which the voice and deeds of philanthropy were more astounding than any people ever before exhibited; from which Bibles, containing the great law of charity, were sent in every language to every people, and from which the missionaries of the cross went to all nations, proclaiming the glad tidings of that gospel which declares "that the faith which is sufficient to remove mountains, without charity is nothing."

He found that every effort of the humane to better the condition of their suffering brethren was nearly abortive. They were met with arguments against disturbing the harmonies and proportions of the social fabric, and warned not to remove a stone nor column of the public edifice, lest the whole should fall and perish. The objectors admitted that those suffering under this system were greatly the most numerous; but that could not affect the argument, because vested rights and venerable privileges should not lightly be disturbed, and above all, an agrarian spirit was not to be encouraged or aided. Individuals could not be expected to give up what they had honestly acquired in due course of law, and in the existing state of things. There was plainly no remedy for the victims of a popular government and an established religion. So little could be accomplished at home for millions suffering the extremities of human woe, that active philanthropists were by

sheer necessity driven from Great Britain for a field of labor. Hence the measures to suppressing the slave trade, the magnificent plans for civilizing heathen nations, the purchase of freedom for a million of West Indian slaves, whose condition was far superior to that of more than twice that number at home, for whose wretchedness there was no remedy.

SOCIAL EFFECTS.

Such was the melancholy spectacle which the testator beheld in his own country. It presented questions of grave and deep import in relation to the social condition of men. No one, neither the most humane nor the most wise, had been able to devise a remedy for these evils, securing sufficient confidence to give it the least prospect of being carried into effect. Interests, commercial, manufacturing, agricultural, civil, military, naval, religious and literary, in all their various forms bound up together, presented a Gordian knot which no effort of humanity, of skill, of wisdom, of patience, of boldness, or of sagacity, could untie. It seemed as if no remedy remained but to cut its complicated folds, and scatter them before the storms and blood of a revolution. He could not but turn in despair from such a scene, convinced that his intended legacy could accomplish no permanent good for his suffering countrymen.

If he bent his eyes to the neighboring continent, the prospect was equally gloomy. The poor of continental Europe have been variously estimated at from ten to fifty millions, or from one-twentieth to one-fifth of the population. This different result arises rather from the different basis of the estimates than from error or a difference of opinion. Other estimates range from the same reason between these extremes. Villanueva de Bergamont, who fixes the proportion of one-twentieth, or nearly eleven millions, as the number of the poor of Europe, includes only those who are unable to work, those whom bodily defect, other inability, or the want of work, leave at public charge. Those on the other hand who assume the higher proportion of one-fifth, or nearly fifty millions, include not only those who are thrown on the public to perish or be relieved, but the much greater number in every country who struggle on in unnoticed misery, suffering the ill of constant poverty.

The philanthropist who looks abroad upon the condition of his fellow-men with due intelligence, will be smitten with sympathy more deep for those whose hearts are frozen with the daily dread of utter destitution, than for those who have sunk into the hands of the administrators of public charity. The beggar publishes his wants with busy clamor; the public has discovered the wretchedness of the inmates of its hospitals and almshouses; but who can find the abodes of modest want, of patient misery; who can number the poor whose food and raiment and shelter are far, far below the lowest standard of comfort, whose hopes for this world are cut off, and who have had no proper teaching for the world to come; who can tell their anguish who begin to feel their descent from a better condition into the abyss of helpless ruin, degradation, and crime? Great Britain and Ireland alone contain not less than twelve millions, who, if their condition be above that of utter poverty, it is one in which "they struggle through life, battling with misery and want, wholly dependent on the contingencies of employment, adequate wages, and parish relief, asking for labor as a boon, although it scarce nets them an existence." France contains, it can not be doubted, 6,000,000 whose situation is not better. Holland and Belgium, in a population of 6,000,000, contain three-quarters of a million of these sufferers. The number of the poor in these four countries are best ascertained, and although they most abound there, who that knows much about the population of Europe can doubt that if these four kingdoms contain 19,000,000 of suffering poor, the remainder of the continent must include at least 30,000,000 more.*

DESTROYS ALL GOVERNMENT.

A close and impartial survey of the condition of the European people, of which the above is but a faint outline, must leave upon the heart of any benevolent and intelligent observer, impressions of sympathy and grief at once deep and abiding. Our testator could not have returned from such an inquiry, such a far-reaching prospect of human woe and degradation, without feeling humbled and horror-stricken at the exhibition of selfishness, bad government and inhumanity which it implied. We may conceive his exclaiming, "What is all other knowledge and wisdom worth, in comparison with that which would teach how to raise these prostrate millions to a condition of comfort and peace—a condition in which they could gain adequate food and raiment and shelter by their own labor, and in which they would be freed from the ever-gnawing apprehension of famine and destitution? What is the glory of Europe in arts, in arms, in letters, in science, in philosophy, in Christianity, to 89,000,000 of poor, if none of these can rescue them from their present doom? What avails it to speak of free and despotic governments, of monarchy, aristocracy and democracy, when now, or heretofore, under all these forms, men have been made to undergo the extremities of human suffering? Men unite in the social state, or submit to government to better their condition; but where is the savage who would change his state for that of the poor in Europe—too knowing to be barbarians; too wise to enjoy that ignorance which is bliss; and too poor to be free? There is much that is wrong in human governments; they have hitherto failed in their object. It is not the form, for all forms have been tried, from the sternest despotism to the wildest democracy, and with the same sad result.

Can any man who surveys the past or present condition of men in the social state, doubt the intense selfishness and depravity of the human heart, under the influence of certain temptations? Hitherto, all remedies have failed of adequate success, and the men, whose powers of endurance being exhausted, have risen for redress of wrongs, and seized the power which was wielded to their injury, have only demonstrated by excesses the most daring and monstrous, that they too were unfit and dangerous depositories of power. They soon relapse into their former hapless condition, or others take their place. Men may have changed positions, but the ranks of misery have not been thinned.

FREE GOVERNMENT THE ONLY HOPE.

Revolutions, agitations, wholesale murder and agrarian distributions only make the evil that is dreadful tenfold worse; and there is little hope for the happiness which is born in such scenes. Happily there is one exception, full of promise for the after destiny of nations. The men who achieved the revolution which gave existence to the United States of America have exhibited a wisdom and moderation in the use of power which, though hitherto without a parallel, can not be without its influences. To the experiments now making in that vast phalanx of confederated republics in the New World, must the friends of humanity look for that knowledge which is needed to renovate the nations of the Old World. Already has light from that quarter penetrated the darkest portions of Europe. Old aspirations are grown stronger, and new hopes are born. To the lessons taught by these great experiments in the science of government and legislation must we continue to look for the most desirable and necessary of all knowledge, that on which depends our social progress. They are teaching us by example, but ere long we trust they will teach us by precept. There is the great school of knowledge for men; political wisdom must increase amidst the free action of more than a score of separate administrations, and the free discussion of as many separate legislative bodies. There alone political science has free scope;

the governments which are founded on actual compact may be dissolved by the parties at their pleasure, and the agreement may be changed and amended as time and experience may dictate. There the cure of any social evil being discovered, the application is in their own hands. Age consecrates no abuse and protects no absurdity. Changes create no apprehension and bring no danger. All their institutions are subject to the public mind, and may be made better or worse as often as that mind directs.

It now remains to be determined whether, as a nation, we are worthy of the confidence reposed in our intelligence and goodness; for if we can not now divine the meaning of the simple but expressive words of this bequest, then unquestionably we are not yet fit to undertake the due execution of this will. * * * The men of Europe and Asia whose hearts may be devoted to this great object, if the press is open to them, and if their voices are not paralyzed by fear of the powers that be, are so embarrassed by vested rights, by time-anchored observances and prejudices, laws and institutions, by the unprepared state of certain classes for any increase of political power, by the fear that all change may be for the worse, and by the dread of revolutions, that they find themselves constantly entangled in questions of expediency; seeing what is right when they look far ahead, but wholly unable to determine the perplexing questions which attend the first steps of their forward progress. In this country, we neither fear the truth, nor need we dread to follow its indications, or to make any change which promises a better condition. All we want is a knowledge of our deficiencies and the remedies applicable to them; it depends only on our patriotism and energy whether we make the application.

OUR INSTITUTIONS ASK FOR LIGHT.

Our institutions ask for all the light which can be thrown upon them, and are ready to undergo any change or modification which may promise an improved social condition. In this field, inquiry is restricted by no limits, and truth may carry into actual operation every plan for which she can secure the favor of the people.

Every fragment of ancient legislation and of that of the middle ages, and every exposition of administrative wisdom and skill could be put in requisition to correct and ripen the knowledge of modern times.

We are not justified, because we enjoy many peculiar privileges, in supposing that all the wisdom in legislation and in administration belongs to us. Our advantage lies not so much in the mere excellence of our laws and institutions as in this, that we have a facility in selecting what may suit us, and in adopting it at pleasure. There is no power to prevent any change deemed for the better, and no prejudice or apprehension to interpose obstacles to any desired alterations. All the storehouse of European wisdom and experience may be ransacked for lessons in political science. It would be presumption which facts do not justify, to assume that we can learn nothing from the modern nations of Europe. The truth is, we have much to learn from that quarter, and they have much to learn from us.

We have more than a score of legislative bodies annually at work, of whom it may with truth be said that their proceedings are original and untainted by any knowledge of the legislation of continental Europe or any legislation but their own. Our legislators have hitherto had little time to inquire and slender means of knowing what has been done elsewhere. Their minds have acted freely and fearlessly; many valuable truths have been elicited and many excellent laws enacted, but much more might have been accomplished if, upon minds thus prepared, the light of knowledge and experience had been poured from all the rest of the world.

The grand experiment of the fitness of men for wise self-government is making in this country. The great school of political science should also be here, that their influences and operations may be mutually effective. Let all knowledge come to the ordeal of experiment, and be subjected to the judgment of men who, while they mold the form of their own laws and constitutions, obey all their requirements and submit to all their pressure.

INCREASING POVERTY OF THE PEOPLE.

The same causes that produced, in all other civilizations, the swollen and ever-increasing sum of human suffering and woe, this army of paupers, this colossal poverty, side by side with enormous wealth and unstinted luxury, have brought our people and our country to the verge of the same condition, and we stand to-day face to face with the same problem, surrounded by a series of causes which constitute in themselves the central facts of existing industrial and social economies, and are its defenders.

The conflict between the influences which create this condition of the many and those which oppose it is inevitable and irreconcilable. The one or the other must triumph. They can not both occupy the same disputed ground. The people must conquer or the few, and the conquest must be that they shall have the means of preserving life, of procuring happiness, of the enjoyments of life, of the development of their faculties, while there need not be equality in their enjoyment nor in the share of each. The great mass of the people must not be excluded from the use of the air, the water, and the earth, and of the things above it and beneath it, by public policies. The one means the establishment of free government, the other its downfall and the coming of the empire.

SHADOWS ACROSS OUR PATH.

Its shadows are now falling around our people and across the path of our national progress. The half century which has expired since the eloquent words I have read were spoken has placed us upon the downward path of the old civilizations. Monopolies and aristocracy are convertible terms, systems of policy which by law levy tribute on the labor of the many for the enrichment of the few, to the end that the few may dispense the accumulated wealth of taxation, are in the direct line of imperialism, in the line of the increasing poverty and degradation of the many and not of their increasing prosperity, comfort, and happiness. The great change of public opinion on questions of party policy shown in the late election indicates this to be the overwhelming current of our people's thought.

The President in his last annual ignores this condition of our public policies and of our people and calls attention to the general prosperity of the people and contrasts their condition here with that of the Old World.

* See and compare statements and tables in De Gerando *Bienfaisance Publique, Première Partie*, Liv. 1. c. 4, and *Econ. Polit. Chret.* Liv. 2. c. 1.

PEOPLE MUST HAVE LAND, AIR, AND WATER.

It is evident that the earth and the air and the waters are the sources of all production and of everything that ministers to life, comfort, and human happiness, and that the invention of man and his thoughts are the factors which mold these to their proper uses.

The conditions therefore upon which this intercourse of mind with things, this use of nature and her resources are based, are of the first importance.

Whether they shall be made easy and accessible to all the people or whether only to the few, whether the many shall pay tribute to the few for the use of the earth and the air and the waters, and if so, what tribute shall be the portion fixed by law, whether it be the law of custom or society, of consent or force.

This is a question which underlies all our conditions, and under all forms of government must have its proper solution.

Upon any other than the true economic foundation it will be only gathering the forces of nature to be the factors of human suffering until a sufficient force has been gathered to rend the social and industrial system into fragments, and restore the despotism of absolute force of the empire as the only security for the peace and order necessary for the existence of man.

It is plain that whatever policies impose onerous and oppressive tribute on the labor of the many for the use of the necessities of life—for the air and the water and the earth—to be paid to a part of the people, creates an aristocracy, a class of privilege. And whatever policies diminish this tribute imposed on all labor or do away with it entirely create a democracy and protect the people in their use and enjoyment of the proceeds of their labor.

All civilization and all public economics are predicated on individual property and ownership of the earth and the things which it contains and those which man's invention shall make from them, but they are also predicated on the truth that this is not an exclusive right, but the right of private property in the things necessary for human life is not only general and belongs to each and every person, but is also a right the perpetual exercise of which by every person is necessary for the maintenance of civilization, of society, of government, and of law and order.

MUST BE NO MONOPOLY OF NECESSARIES.

Hence it follows as a cardinal principle of all government and society that monopoly of the necessities, comforts, and enjoyments of life by one or a small part to the exclusion of the great body of the people from their use and enjoyment is in derogation of common right and also in the direct line of the destruction of the race and of all civilization. Monopoly, poverty, pauperism, degradation, and vice of the people go hand in hand and are inseparably linked together in the divine economy of earthly things.

This monopoly of the necessities of life, of the earth, the air, and the water, and the policies which establish it has been and always will be the object and the end of arbitrary power. It means the superior rank and station which comes from the possession of fortune and the power of depriving others of it.

IT CREATES RANK AND STATION.

It creates rank and station resting on the basis of power which exists only by the torture and sorrow and suffering of their fellow-men; not that rank and station which men accord as the homage due to great valor and sacrifice in war, nor that which the attainments of genius challenge and receive, nor that which the rich endowments of nature in grace and beauty obtain; nor, indeed, even that inherited respect which comes from a virtuous and distinguished ancestry, but that rank which power gives divorced from merit, the power that comes from the murderer's dagger, the assassin's blow, the gambler's loaded dice; a power hurtful in all things and without beneficence to any.

Monopoly or the power created by law of imposing tribute on the labor of the people is common to every form of government and society; but in whatever form it prevails and becomes established it heralds the coming of imperial power. It is itself the empire, and its power and arbitrary methods become fixed and visibly present. It is in all forms a power of levying tribute on the labor of others without compensation; a power granted by law or custom or force of appropriating the proceeds of the labor of others in the will and discretion of the monopolist individual or class; a power of limiting the compensation which others shall receive for their property or labor, and of determining for them the extent to which the great body of people shall enjoy and exercise the right of private property.

GREAT MEN BROKE ITS CHAINS.

Thus Napoleon Bonaparte, the democrat, the people's representative and friend, crushed the ancient orders and monarchies of Europe that he might give life and comfort and happiness to the people, only to be himself crushed and the ancient economies

reestablished. Thus George Washington and his compatriots crushed the ancient order of British rule that the people of America might be free from the evils and oppressions of monopoly and landed aristocracy, with its consequent intolerances, cruelty, and oppression, only to restore the present widespread and all-prevailing rule of privileged classes.

Thus the great Cardinal Richelieu crushed the discordant aristocracy of France into the absolute despotism of the monarch that he might relieve the people of the oppressions of these monopolies, only to commence a new series of oppressions, to end in the wild and bloody excesses of the French Revolution.

Thus Julius Caesar, the great master mind of the centuries, crushed the discordant elements of the Roman Republic that he might give liberty and land and homes to the body of the Roman people, only to create the empire whose decline and fall was produced by the same recurrent causes.

In the grant of privileges by law which carry with them as an incident this power of exacting tribute, or the force of custom or tradition, or the limitation of money and privileges of coinage, and the use of the public credit or rights and privileges of transportation and burdens on commerce and exchange and trade, but in whatever form, whether the victorious commander or the highway robber, or the successful speculator in exclusive privileges of trade and transportation, the end is the same, viz, the levy of tribute on the labor of the people without their consent and without just compensation, and the necessary and inevitable result is the same, viz, the accumulation in the hands of a small number of a privileged class of the entire proceeds of the labor of the people and the gradual creation of a condition in which they are limited by a relentless series of causes to a quantity of the necessities of life insufficient for its comfortable maintenance to a condition in which poverty and pauperism grow to colossal proportions and become the rule and not the exception.

ARE WE IN THE ANACONDA'S FOLDS?

Is this the condition of our country? Are we now surrounded by this relentless chain of circumstances?

Are our people in the folds of a great anaconda which is crushing all the life and joy and brightness out of them and making the lines of their lives unnecessarily sad and wearisome?

Are the great discoveries of applied knowledge, the wonderful inventions, the great improvements of transportation, the uses of public credit and money, only building up the power of monopoly, of accumulation, of concentrated wealth, and impoverishing the people and increasing the great army of paupers—the product of civilization? If so, what is the remedy?

PEOPLE DEPRIVED OF FREE HOMES BY LAND GRANTS.

In all periods of time the monopoly of land ownership by a very small part of the people, with the consequent excision of the cultivators of the soil from the right to its use, with the right in the owner or privileged class to impose terms and conditions upon the farmer or cultivator, and to demand from him such part of the proceeds of his labor as the privileged class might exact, has been and is to-day one of the most powerful factors in the creation of an aristocracy and of the imperial power which grows out of it.

These 200,000,000 acres of the public lands which had been dedicated by law and the necessary public policy of republican government to be free homes for the use and occupation of the people, have, in areas equal in size to some of the great states of Europe, passed into individual ownership. This area comprises a territory as great as five such States as the great State of Ohio with her millions of people and her numberless arts and industries. The tribute imposed upon the laboring people, the farmers, who now occupy and cultivate, and in the future must occupy and cultivate this land, estimated in money values at \$10 an acre, will not be less than two thousand millions of dollars, to be exacted in a perpetually increasing proportion from the product of their labor.

This vast imposition upon the people in the form of a perpetual power to take from them the proceeds of their labor is the property-right of a privileged class, and the proceeds of this exaction bears the name of capital, and appropriately is termed fixed capital.

It is largely the property right of the subjects of foreign governments and draws an ever-increasing stream of treasure from the people into the treasury of a very small part of the people to be expended in luxury and magnificence while the poverty and distress of the people grow in ever-increasing proportions.

This has been effected through the unwise grants of the public domain to States, corporations, and still more through the unlawful construction placed upon these grants and the constant extension even of their prodigal terms to quantities of the public land not embraced in the original grants, through the frauds practiced by the Interior Department through subordinate officials whom there is reason to believe have been the agents of corporations.

This work of creating a great landed aristocracy has been carried on in defiance of the Secretaries of the Interior.

FRAUDS ON THE PEOPLE IN FLORIDA.

Two of the most eminent and deservedly respected members of this body have been Secretaries of the Interior, but they have been unable to control the perpetual tide of fraud and corruption in that Department which has converted a continent dedicated to freedom and to be free homes for the people into the tribute-bearing property of a privileged class—an aristocracy. So far as one State, the State of Florida, is concerned, I speak with knowledge, and I here declare on the floor of the Senate, as I have many times before declared, that the acts of the Interior Department, granting land in defiance of the plain intent and meaning of the acts of Congress in great areas to individuals, are without justification or excuse and, in my opinion, are in a large degree fraudulent and influenced by corrupt methods.

As a Senator here four times chosen by the people of Florida and pledged to their protection against the monopoly of land, I make this statement, as I have many times before made it, and demand an extended and exhaustive inquiry into the facts of the case.

A report made to the House of Representatives by the Committee on Public Lands in the Forty-ninth Congress states that 27,000,000 of acres of the 39,000,000 constituting the area of the State have been withdrawn from the operation of the homestead law, and made the property of corporations under different false pretenses.

AREA OF CULTIVABLE LAND EXHAUSTED.

The area of land cultivated in staple crops in 1889 is stated by Mr. Elwood Davis, in an interesting and valuable pamphlet on the exhaustion of the arable land, to have been in 1889, 211,000,000 acres. From this area the entire vast product of wheat, corn, rye, cotton, tobacco, sugar, and all other staples which support human life and commerce has been grown. Yet this area is not as great as the quantity of land which has been given under various pretexts to corporations and to private individuals, not as homesteads, but as landlords and great land owners.

Most of these grants of great bodies of land to individuals have been made under false pretexts by the subordinate officials of the Interior Department.

Mr. Davis, in examining the question of the near approach of the exhaustion of the arable lands and the consequent rapid diminution of the food product while population steadily grows with mathematical progression, states that—

Although the population was 12,300,000 greater in 1889 than ten years earlier and the desire for farms just as keen as ever, yet in the last five years, with fully a fourth more people desirous of becoming owners of farms, the number of acres added to the cultivated area was but one-third as great as during the five years ending in 1879, being in the latter period 15,750,000 acres as against 47,628,000 acres in the earlier one, whereas had the increase in acreage been in the same ratio to population as in the earlier period such addition would have reached a total of 60,000,000 acres. The land hunger being as sharp now as in the eighth decade, it is evident that there is lack of the means of gratifying it.

The summary of these figures and statements and their necessary conclusion is:

1. The exhaustion of the area of uncultivated arable land in the United States capable of contributing to the food production for the people.

2. The exhaustion in all other countries of the uncultivated arable land.

3. The increase of population constantly progressing with mathematical progression.

4. The pressure of population on the supply of food and the necessities of life, the means of supporting life.

Let us examine in the light of these conclusions the policies and practices which we have permitted to exist and continue, and which this resolution is intended to expose and bring to an end.

First. An area of country as great as Europe, much more than 300,000,000 of acres of land, the best in the whole area of public lands, granted by Congress and enlarged by the Interior Department to landlords, not to farmers and occupiers of the soil and cultivators, but to great proprietors, largely the capitalists, money lenders, and subjects of foreign states, monarchists, imperialists, and aristocrats.

MORTGAGE ON PEOPLE'S HOMES.

Second. A blanket mortgage on the labor and the products of labor greater in amount than the whole cost of the civil war and the great pension list included, to be paid in gold out of the hard labor of the people, depriving their families of the comforts of life and their children of education in the duties of citizenship.

A system of law which in effect provides for the sale of the right of men to occupy and use the soil and the air and the water except on the condition that a privileged class shall have the right to take from the occupier and laborer such part of the fruits of his labor as he may choose to demand.

The result of this public policy has been to reestablish prac-

tically the law of entail for great properties and estates, and so annul and erase from our policy the boast of Mr. Jefferson that it was his pride and hope that it should be inscribed on his tomb that he was the author of the statutes of Virginia abolishing the laws of entail.

PUBLIC LAND IN FLORIDA.

The State of New York, with nearly six million of people, contains 47,620 square miles, or 30,476,800 acres of land surface, and is nearly equal in extent to England. The State of Florida contains thirty-nine millions and some hundreds of thousands of acres of land, with nearly four hundred thousand people.

Of this area 27,000,000 of acres have been passed into the ownership of great landlords and corporations by the action of the Interior Department under different pretexts, which have no foundation in truth or law, but which are in great part fraudulent.

The first pretext on which the greater part of the State has been fraudulently despoiled was the pretense that this great body of land was swamp and overflowed.

A great Frenchman said:

In our society, established on a very rigorous idea of property, the position of the poor man is horrible. He has literally no place under our sun. There are no flowers, no grass, no shade but for him who possesses the earth.

Let us examine into the conditions of the people, and if this be true, alleviate by public policies the condition of the masses.

This eloquent address prefigures to the people of this country a condition which it seems the author had a proper conception of, a condition in which the colossal poverty of Europe threatens the existence of those governments, a poverty created by the constant drain to the cities from the country, by the influx of the people from the agricultural regions of the country, 80,000,000 of poor people, desperate and destitute. Mr. President, this same condition of things is occurring here. There is an increase of population in the great cities of the country far greater than in the agricultural regions, and it arises from the causes I have mentioned.

I know that these facts are denied. I know, Mr. President, that there is a school of optimists who contend that our people are in a happy and prosperous condition, that our country is a place of delight and joy, where there is no great amount of human misery. All I ask is that this investigation may be continued, that the facts may be developed, as they have been in England and elsewhere, and that we may know what is the real condition of the people of this country, and what are the influences which are operating upon them.

The Senator from South Dakota [Mr. KYLE] read a letter from the Commissioner of Labor, and what does he say? He says that he has barely sufficient money to make this investigation, and yet that is the condition in which we propose to leave it. But the necessity for this information presses every day upon the people of this country. We are building up a monarchy, an imperial government, an aristocracy, and we suppress the facts which bring it to the knowledge of the people. We have covered the public domain of this country with false and fraudulent grants to individuals, and we have excluded the people of the country from free homes upon it. Tens of thousands of millions of dollars of taxation have been imposed, by our permissive neglect, upon the laboring people of this country to be paid to Europe and to the great bankers and the great bondholders of our country.

This fact should be investigated and it should be known. That is one reason why the people are moved to discontent and to restlessness, not only here but in Europe, and why there is imminence and danger of political revolution in the endeavor to accomplish some greater degree of comfort and prosperity.

THE PEOPLE'S RIGHT TO PROPERTY MUST BE PROTECTED.

Conservative legislation for the preservation of property, its more equal distribution, and the increase of comfort amongst the great mass of the people of this country, is the kind of legislation that we need.

Senators who think that all is peace and quiet, happiness and contentment, are laboring under a delusion. The people of this country everywhere are discontented with their condition, and are abandoning the free life of the country and going into the great cities, as these statistics show, to become in the second and third generation enervated from disease, from want, from misery. The statistics show that there are 80,000,000 of poor people destitute of the comforts of life in Europe; and forever from the upper classes, the better-fed classes, the more comfortable classes there is pouring a perpetual tide of people whose fathers and mothers were comfortable in life, who have had the advantages of education—pouring a perpetual tide into this maelstrom of human misery.

It was recently remarked by a distinguished man—a man, Mr. President, whose heart is full of charity and his mind of wisdom, though differing from me and all who are connected with me in the great religious body of which he is the head, but still a light

to the present age, the present Pope, Leo XIIIth, of the great Catholic Church—not without good reason, that:

After so many other scourges, the reign of money has arrived; it is attempted to subdue the church and domineer over the people through money.

And so our whole legislation is in that direction. Let us have a little investigation into the condition of the people; let us have a little care that the great masses of the people of this country shall have such legislation as will bring comfort to them and their homes, and stop this increasing mass of human misery and poverty. For that reason, Mr. President, if my voice could control it, instead of reducing this appropriation I would enlarge it, and I would in every shape that it is possible seek to obtain accurate and full information as to the condition of the people in these great cities of the country and elsewhere.

Mr. CHANDLER. Mr. President, I wish to say a few words upon the pending amendment.

In view of the statement from the Commissioner of Labor, which has been produced here by the Senator from South Dakota [Mr. KYLE], I do not think that the friends of the investigation can wisely object to striking out the clause in the appropriation the Senator from Maryland asks to have stricken out, because the Commissioner of Labor tells us distinctly that the \$47,500 given in that clause is no more than will be needed for his regular work, and that he will not be able to enlarge the investigation into the slums of cities unless he can have more money.

The Committee on Appropriations, of which the Senator from Maryland is a member, did report an amendment to the bill increasing the appropriation from \$47,500 to \$67,500, but that amendment has been disagreed to. Only \$47,500 is to be appropriated, and the Commissioner of Labor tells us very distinctly that that will all be needed without reference to the investigation into the slums of cities directed by the joint resolution of July 20th, last. Therefore, I do not see how we can object to having those words stricken out.

I take occasion to say that the striking out of those words, and the failure to make the additional appropriation which was recommended by the Committee on Appropriations should not be taken as any indication that the investigation ought not to go on under the joint resolution of July 20, 1892, for which purpose \$20,000 was appropriated. It seems to me that every citizen and every Senator and member of Congress ought not only to be willing, but to desire that the investigation should be made. The Senator from Kansas [Mr. PEPPER] and the Senator from Florida [Mr. CALL] have stated abundant reasons why the investigation directed by the joint resolution of last summer should proceed. I favored the measure at that time because I thought an investigation into the condition of the poor of our great cities would throw light upon the immigration question.

I agree with the suggestion of the Senator from Florida, made perhaps also by other Senators, that a better word might have been chosen than the word "slums," but never mind the nomenclature, the condition of the great masses of our people who are crowded into the close quarters of the great cities of this country ought to be investigated.

It was not necessary that there should have been a special joint resolution for that investigation, because the act which created the office of Commissioner of Labor gave to that officer ample power to make an investigation without special instructions from Congress.

The Senator from Missouri [Mr. VEST], not now in his seat, said he was not asleep when that investigation was ordered, and he does not intend to be asleep when any proposition of this kind passes Congress. The Senator from Missouri is never asleep upon a proposition which he opposes, any more than is his colleague [Mr. COCKRELL] asleep when any question arises concerning appropriations. But the Senator from Missouri was a member of the Senate when the act of June 13, 1888, was passed creating the Department of Labor, and here is the first clause of that law:

That there shall be at the seat of Government a Department of Labor, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relations to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

I suppose the Senator from Missouri holds that that act was unconstitutional; indeed, he said as much; that the Government of the United States has no business at all with any investigation of this kind. Yet this law was passed in a Congress that was of one school of politics in one branch and another school of politics in the other branch, and the Senator from Missouri allowed that act to become a law.

I find a further clause in section 7 of the act, as given in volume 1 of the Supplement to the Statutes, as follows:

SEC. 7. The Commissioner of Labor is also specially charged to investigate the causes of, and facts relating to, all controversies and disputes between employers and employes as they may occur, and which may tend to inter-

fere with the welfare of the people of the different States, and report thereon to Congress.

There we have a clause for making investigations that is as broad as the general-welfare clause in the Constitution of the United States. While I do not suppose any one contends that the power to legislate is as broad in all cases as the power to investigate, here has been adopted, by a Congress not Republican in both branches, a law creating a Department of Labor to make exactly such investigations as these. Yet Senators who sat still when that law was passed, or who aided in its passage, come here and talk about a proposition to investigate the condition of the poor and the degraded classes in our great cities as an unconstitutional proceeding.

Mr. President, I hold that it is a very legitimate and important subject of inquiry, and if time permitted and the Senator from Massachusetts were not impatient, I should be glad to add to the contribution which has been made to this subject by the Senator from Florida. I should be glad to read an article from Scribner's Magazine for January, 1893, with reference to the poor of Naples; and when I had read it and Senators apprehended that it is largely from that class of people that our cities are being peopled to-day under the operations of our immigration laws, I believe no Senator would say it was not for the general welfare of this country in a constitutional sense that inquiries should be instituted to ascertain whether we have to-day in our great cities a condition of things among the poorer classes of people paralleling in any degree the situation of the poor of Naples as depicted in this article.

Mr. President, I did not feel willing to see the appropriation voted down, which for some reason or other the Committee on Appropriations reported, and the paragraph with reference to the slums of cities stricken out on the motion of the Senator from Maryland without saying that it ought not to be the policy of Congress or of the Senate to discourage the investigation ordered by the joint resolution of July 20th last, but it ought rather to be the policy of every lover of his country to push on such investigations until we disclose the evils that may exist, whatever they may be, and inquire whether it is not possible for us constitutionally to apply a remedy.

Mr. FAULKNER. Before the Senator from New Hampshire takes his seat I desire to ask him a question. The Senator is more familiar with the customs and usages of the Senate than I am, and I should like to know whether it has not been the universal rule in the Senate never to authorize an investigation by a committee of the Senate unless the Senate has the power to legislate in reference to the subject for which the investigation was authorized.

Mr. CHANDLER. It has been the contention frequently in Congress that the power of investigation should be limited to the power to legislate, but in my observation of Congress for the last twenty years I have never seen that rule enforced.

Mr. PLATT. If the Senator from New Hampshire will permit me, I will state that we authorized the Census Office to make investigations as to indebtedness all over the country, about which I do not suppose we have any particular right to legislate. We directed the Census Office to make an investigation with reference to the number who own their homes, how much they were mortgaged, and so forth.

Mr. CHANDLER. If the Senator from West Virginia will take occasion to read the act to establish the Department of Labor, approved June 13, 1888, when he was in the Senate, I think he will find that the Government has undertaken to exercise very large powers of investigation, going, perhaps, very much further than the power to legislate under the Constitution.

Mr. DAWES. Mr. President, I hope we may now have a vote.

Mr. CALL. I desire to ask the Senator from West Virginia a question. Suppose we should ascertain that in the city of New York there is leprosy engendered by conditions there, or in the city of New Orleans, or in my own city of Jacksonville, and there was danger of communicating it through the interstate commerce of the country, would not that fact justify an investigation?

Mr. FAULKNER. Personally I do not think that subject would justify an investigation. That is the only answer I have to make.

Mr. CALL. Suppose we find a particular condition of prices in New York or elsewhere, does not that connect itself with the revenue laws of the country which we enact? Is not that information necessary to enable us to know how we shall impose taxation on the country?

Mr. FAULKNER. In answer to the Senator from Florida, I will state that I think when Congress by its own act either increases or decreases the price of a commodity of general use it would have the right to ascertain the effect of the act, so as to modify and change what it has done. I think that power exists clearly under its granted powers.

Mr. CALL. When the Senator from West Virginia has admitted that, he has admitted the whole subject, because in all the granted powers to the Federal Government there is no one of them the exercise of which does not necessarily affect the condition of the people. Interstate commerce, foreign commerce, taxation, revenue, all affect the condition of the people by the manner in which the laws relating thereto are administered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. GORMAN]. Is the Senate ready for the question? [Putting the question.] The ayes appear to prevail. The ayes have it, and the amendment is agreed to.

Mr. PEPPER. Mr. President, I ask for a division.

The PRESIDING OFFICER. The Senator from Kansas asks for a division. The Chair will regard the amendment as still being open for that purpose.

Mr. PLATT. Let the amendment be read once more.

The CHIEF CLERK. On page 109, line 4, after the word "employés," strike out:

And for expenses connected with the investigation relating to the slums of cities authorized by joint resolution approved July 20, 1892.

Mr. GORMAN. Mr. President, the debate has taken so wide a range that I think it necessary for me to restate to the Senate exactly what I propose by the amendment. I have moved to strike out these words:

And for expenses connected with the investigation relating to the slums of cities authorized by joint resolution approved July 20, 1892.

I do this because the Commissioner of Labor himself states that every dollar of the appropriation of \$47,500, which we allow, will be required for the ordinary conduct of his office, and as he has nineteen thousand two hundred and some odd dollars of the \$20,000 left from the amount which was appropriated in July, 1892, this provision is unnecessary and it would embarrass the conduct of his office. That is all there is involved in my amendment.

Mr. DAWES. I understand the Commissioner to say he will be compelled to take the amount for this investigation out of the \$47,500 if the phraseology remains in the bill?

Mr. GORMAN. As a matter of course.

Mr. DAWES. Whereas, if it is stricken out the investigation will go on under the joint resolution of last year, with over \$19,000 remaining to be devoted to that purpose.

Mr. CHANDLER. May I ask the Senator in charge of the bill why the committee reported the increase of \$20,000? Was it in reference to this investigation?

Mr. DAWES. It was because the language in the bill was found by the Department of Labor to compel them to take it out of the \$47,500. If the language under consideration shall be stricken out of the bill it is the understanding of the Commissioner that he can expend the nineteen thousand and odd dollars in his hands for the investigation originally authorized, whereas if this clause remains in the bill the \$47,500 alone can be expended, not only for the original purposes of the Department, but also for this investigation. It is not proposed to circumscribe or impair the original intention of investigating the slums of cities. It is only a question out of what fund it shall be taken.

It is the opinion of the accounting officers that with this appropriation of \$47,500 for the original purposes of the Department and for this investigation the Commissioner can not use what is in his hands under the other appropriation, but must confine all his investigation to the \$47,500. He says the \$47,500 is no more than he needs for the original purposes of the bureau, whereas if these words are stricken out he will go on with the expenditure of the original \$20,000, of which he has nineteen thousand and odd dollars still left.

Mr. CHANDLER. Then it necessarily follows that when the \$20,000 additional recommended by the committee go out these words ought to go out; but the \$20,000 still remain subject to the order of the Department for the purposes of the investigation.

Mr. DAWES. That is it. This whole debate arises from a misunderstanding of what is the purpose of striking out the clause. It is for the very purpose of enlarging the facilities of the Department of Labor.

Mr. PEPPER. Then I withdraw my demand for a division.

The PRESIDING OFFICER. The request for a division is withdrawn, and the amendment of the Senator from Maryland is agreed to.

Mr. MITCHELL. I am instructed by the Committee on the Judiciary to move to strike out, on page 110, line 12, after the word "dollars," the following proviso:

Provided, That in the ninth circuit of the United States a circuit judge may appoint or remove the clerk of the circuit court for the district in which the circuit judge resides. In all other cases clerks of such courts shall be appointed as provided for by existing laws.

The amendment was agreed to.

Mr. MITCHELL. I am also instructed by the Committee on the Judiciary to offer an amendment to come in at line 18, page 18. I will state that this amendment has the sanction of every member of the Committee on the Judiciary, and I am instructed to offer it as an amendment to the bill. I believe it also has the sanction of the Committee on the Library.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 18, after the amendment already agreed to, after line 17, insert:

Twelve thousand dollars, or so much thereof as may be necessary, for the preparation and printing of a subject and authors' catalogue of the books in the Law Library of the Supreme Court of the United States; the preparing and printing of said catalogue to be under the control and direction of some competent person designated by the Chief Justice of the United States; said catalogue to be stereotyped and printed for sale to the public at a price equal to the cost of the paper, presswork, and binding, with 10 per cent added thereto, the proceeds of such sales to be paid into the Treasury. One thousand copies of said catalogue, when completed, shall be distributed by the person having charge of said library, as follows: To the President and Vice-President of the United States, 2 copies each; to each Senator, Representative, and Delegate in Congress, 1 copy; to the Library of the Senate, for the use of Senators, 20 copies; to the Library of the House of Representatives, 50 copies for the use of Representatives and Delegates; to the Library of Congress, 80 copies; to the Chief Justice and associate justices of the Supreme Court, 2 copies each; to the clerk and reporter of the Supreme Court, 1 copy each; to the law officers of the several Departments, 1 copy each; *Provided*, That hereafter that part of the Library of Congress now designated in section 81 of the Revised Statutes as the Law Library shall be under the control of the Supreme Court of the United States, and said court shall appoint a suitable person as librarian, who shall take charge of said library and purchase such law books as the Chief Justice may direct. The librarian so appointed shall receive an annual salary of \$2,500; and the librarian so appointed is hereby authorized, subject to the approval of the Chief Justice of the United States, to appoint the following assistants: One assistant at a salary of \$2,000 a year; one assistant at a salary of \$1,500 a year; one assistant at a salary of \$1,200 a year; and one messenger at a salary of \$800 a year; *Provided*, That nothing herein shall be held to increase the number of employees of the Congressional Library, but the assistants and messenger hereby authorized to be appointed shall perform the duties of the employees now appointed and assigned by the Librarian of the Congressional Library for duty in the Law Library.

Mr. DAWES. I raise the point of order that the amendment proposes to change existing law.

Mr. MITCHELL. I hope the Senator from Massachusetts will not insist upon his point of order.

Mr. DAWES. If the Senator from Oregon will confine his amendment to the printed part of it which has been reported from the Judiciary Committee, and not undertake, in anticipation of a new library building, to set up two separate libraries here, I will not object. The Committee on Appropriations have anticipated a large part of the amendment by providing for two additional assistant librarians for the very purpose of meeting the exigency of the law library. But the Senator from Oregon has added to what the Judiciary Committee have reported, writing in, as is apparent, a proposition to change the existing law and to establish a new library here, which, in the opinion of the Committee on Appropriations, had better wait until the new building shall be completed.

Mr. MITCHELL. There has been no change whatever from the proposition the Committee on the Judiciary authorized.

The PRESIDING OFFICER. Will the Senator from Oregon modify the amendment as suggested?

Mr. CHANDLER. I suggest to the Senator from Oregon to allow the amendment to go in as reported from the Committee on the Judiciary.

Mr. VEST. The Senator from Massachusetts certainly does not object to the latter part of the amendment as modified, which prevents an increase in the number of employees of the Congressional Library.

Mr. DAWES. Oh, no; but I want to say that we have already provided, and the provision has been adopted, for two additional assistant librarians for the very purpose of meeting what was represented to be the need of the law library.

Mr. VEST. But if the printed part of the amendment, as the Senator expresses it, which comes from the Committee on the Judiciary, should be adopted without the latter modification it would result in increasing the number of employees of the Congressional Library by three, which we do not want to do.

Mr. DAWES. We propose to increase the number by two.

Mr. VEST. That is another matter. We simply propose in the amendment that nothing herein shall increase the number of employees.

Mr. DAWES. The Committee were of the opinion, (and I am under the impression we have already adopted it), that the preparation of a catalogue and the purchase of law books were matters that should be under the control of the Supreme Court, but that the question of separating the library and establishing a new one had better be postponed.

Mr. VEST. As the law stands, by a reference to the Revised Statutes it will be seen that the Librarian of the Congressional Library purchases such law books as shall accord with the catalogue furnished him by the Chief Justice of the Supreme Court. That is exceedingly objectionable to the Supreme Court, and very naturally so, because while the Librarian of the Congressional

Library is nominally in charge of the law library of the Supreme Court, he has really nothing to do with it.

Mr. DAWES. No one objects to putting the purchase of the books, the making of the catalogue, and all that matter under the Supreme Court.

Mr. WOLCOTT. May I ask the Senator in charge of the bill a question?

Mr. DAWES. Certainly.

Mr. WOLCOTT. Has the committee any objection to the right of the Supreme Court to name the librarian in charge of the law library?

Mr. VEST. That is the very point.

Mr. WOLCOTT. Under this provision there are three librarians contemplated. There is now one Librarian, and he has an assistant in the law library. Sooner or later this question must come to a head. When the Congressional Library goes into the new building Congress will then have to determine whether the law library shall go with it or whether it shall be provided for in the Capitol. If it is to be provided for here it must be provided for necessarily under some separate and distinct management.

There has been a good deal of friction as to the purchase of law books, not only for the library, but also for the different circuits, the effect of the appropriation being, I believe, that \$1,000 is set aside, which is expended theoretically by the different judges on the circuits for their libraries. Some judges draw their full quota and some do not, and there seems to be a great deal of vagueness as to the manner and method of distribution. I understand that while the Librarian is willing and very anxious that the Supreme Court shall take charge of and the marshal shall distribute this fund, that does not touch the matter at all.

I think that the appropriation for the index is not at all pressing. It would be an excellent thing to have done, but it is not immediate. If there is any good reason why that should not pass we can afford to drop it, but if the Supreme Court is to have a library which is to be of value to that court and the bar it does seem to me as if it were not unobjectionable that the Supreme Court should determine who should have charge of its library.

The bill should be so amended, in my opinion, as to cover the employment of no additional employees. If the point of order has been made against it, it should leave out the \$12,000 for the index; but I hope the member of the committee having this subject in charge will at least let the Senate vote as to whether the judges of the Supreme Court shall name the librarian in charge of its library as well as to attend through its marshal to the distribution of the money appropriated for the purpose of keeping the library supplied with books.

Mr. HOAR. I ask that the pending amendment be read again. I was not in my seat when it was read.

Mr. DAWES. If my colleague will allow me to make a suggestion which seems to meet the view on this side, it is in the fifteenth line, where it reads, "two assistant librarians, at \$2,500 each;" to strike out the word "two" and insert "three, one of whom shall be appointed by the Chief Justice of the Supreme Court and have charge of the law library." That meets the approbation of the members of the committee on this side.

Mr. HOAR. I should like to inquire of my colleague if he understands that these persons are to be public officers when appointed. I suggest that he make his amendment so as to require the appointment to be made by the Supreme Court, because if they are to be public officers, the Chief Justice is not a court. Of course if they are to be mere clerical assistants, the Chief Justice may select them.

Mr. VEST. There is no objection to that.

Mr. DAWES. I will modify my suggestion in order to meet the wishes of the Judiciary Committee. I move, on page 17, in line 15, to strike out the word "two," where it first occurs, and insert the word "three;" and to insert after the word "each," in the sixteenth line:

One of whom shall be appointed by the Supreme Court and have charge of the law library.

So as to read:

For compensation of Librarian, \$4,000; and for twenty-eight assistant librarians, three at \$2,500 each, one of whom shall be appointed by the Supreme Court, and have charge of the law library; two at \$1,500 each, etc.

Mr. HOAR. After this question is put, if there is no debate on it, I will say what I wish to say.

The PRESIDING OFFICER. The Chair inquires of the Senator from Oregon [Mr. MITCHELL] if he consents to modify his amendment according to the suggestion of the Senator from Massachusetts [Mr. DAWES]?

Mr. MITCHELL. I understood the Senator in charge of the bill to make a point of order against my amendment.

The PRESIDING OFFICER. The Chair understood the Senator from Massachusetts [Mr. DAWES] to withdraw his point of order for the time being and to suggest a modification of the

amendment. Does the Senator from Oregon so modify his amendment?

Mr. HOAR. Let the matter stand as it is for the moment. I am exceedingly desirous that this matter shall be so arranged as to meet the views of my colleague and the committee which he represents, but I think it ought to be dealt with intelligently now.

Several committees of the Senate have considered the subject, the Judiciary Committee and the Appropriations Committee among others, and the time has come when this difficulty in regard to the library ought to be relieved. In the first place, very soon the Librarian of Congress will be removing the general Library to another building. In the next place, the Librarian of Congress, by reason of the vast increase of copyright business, has all his faculties strained to their utmost with other duties, and he can not any longer give a great deal of personal superintendence to the law library. We all know the great fidelity and intelligence with which he discharges any public duty that is put upon him, but it will be almost absolutely impossible for Mr. Spofford to keep up the law library. So it seems to me the time has come when we ought to settle this question.

It is equally clear to my mind that the amendment is not subject to the point of order. It is not general legislation. It is legislation providing an instrumentality for the two Houses of Congress and the Supreme Court to discharge their duties in this building. It is no more general legislation to make a new official for the law library than it is to add a new clerk in the Department of the Interior or to have a committee made an annual committee instead of a sessional committee, as we do by appropriation bills.

So, I respectfully submit that the point of order does not apply. We have the whole subject before us, and as I made the suggestion to the Chair, I wish to say that I desire to agree to the suggestions of my colleague as far as possible.

Mr. DAWES. I take it for granted this meets the present exigency. I agree with my colleague that the time is coming, not that it has quite yet come, so that we can do it in the last days of the session, to establish separate libraries. It is coming in the near future, and should be the subject of arrangement and deliberation by the Joint Committee on the Library.

Mr. HOAR. I wish to accomplish three things to be undertaken now. First, the additional official to be appointed by the Supreme Court—to that I understand my colleague agrees; secondly, the authority in regard to the management of the law library to be vested in the court hereafter. That, I suppose, nobody objects to.

Mr. DAWES. I suppose we reach that by the phraseology in the bill.

Mr. HOAR. I suppose so. The third object I wish to accomplish is the beginning at once of the investigation, a separate matter.

Mr. WOLCOTT. Will the Senator in charge of the bill permit me to make a suggestion to him?

Mr. DAWES. Yes.

Mr. WOLCOTT. Inasmuch as the immediate evil complained of is practically remedied by the suggestion to which the Senator from Massachusetts acceded it is almost worth while, although it takes a little longer time to perfect the bill, to ask him whether he does not think it best that if the Librarian to be named by the Supreme Court is to have charge of the library, that the Librarian of the Supreme Court and not the Librarian of Congress should name his own assistants. If it is not done—and I am not pressing it at present—you will have two librarians in charge named by the Supreme Court, you will have the principal librarian having one assistant, drawing as much salary as he himself draws, and two other assistants with lesser salaries, under the supervision and appointment of the Librarian of Congress. It seems to me that it might be worth while to put the assistants as well under the appointment of the Supreme Court, or else under the appointment of the Librarian of the Supreme Court. I only suggest that.

Mr. DAWES. I do not think it would be practicable to have one Librarian appointed by the Supreme Court and his assistant by the Librarian of Congress. I think, therefore, if this amendment is put in line 20 where we have increased the pay to \$1,200 and the assistants to \$11,000, perhaps in conference the language can be so changed as to meet the suggestions which have been made.

Mr. WOLCOTT. I do not wish to press the amendment at this time, but I do wish to call the Senator's attention to it.

Mr. DAWES. It is quite obvious that if the Supreme Court appoints a man in charge the court should have the men who are under him subject to their control.

Mr. WOLCOTT. Following this up—and I am only taking the time of the Senate now to complete the consideration of the amendment—it having been conceded that the purchase of books

for the Supreme Court library, as well the books of reference as the law books for the library, they shall go into the hands of the marshal of the Supreme Court of the United States in some form, I suggest to the Senator in charge of the bill, on page 18, in lines 2 and 3, to strike out the words "Librarian of Congress," and insert "marshal of the Supreme Court."

Mr. HOAR. Why is that?

Mr. WOLCOTT. Because the marshal has the custody of the money and we do not want the Librarian to take the money. The marshal would have the money, and he would have this thousand dollars, would he not?

Mr. DAWES. I would say that practically that will be unnecessary, though when the whole matter is reorganized it ought to be in one body. It is practically unnecessary now, because the Librarian, when his attention was called to the idea suggested by the Senator, said he had already surrendered formally to the court the authority to purchase these books through their marshal.

Mr. WOLCOTT. I do not so understand it, but if that is so, I have nothing further to say.

Mr. DAWES. So that practically there would be no need of that provision at all.

Mr. WOLCOTT. We may strike out the words "the Librarian of Congress" at this time.

Mr. DAWES. I suggest that we leave it as it is, under the assurance of the Librarian that he and the court have an understanding how that shall be done.

Mr. WOLCOTT. That is a very slipshod way to leave it.

Mr. ALLISON. I see no difficulty about it. These books are all purchased under the direction of the Chief Justice.

Mr. WOLCOTT. But, if I may correct the Senator, they are not to be purchased by the Librarian of Congress, for the bill reads:

For the purchase by the Librarian of Congress of new books of reference for the Supreme Court * * * purchased under the direction of the Chief Justice, \$1,500.

These books are largely divided among the circuits, some of the circuits calling for their quota and some not; and there has been endless confusion among the judges themselves as to what their quota may be. It may be, however, that this is not the particular clause.

Mr. ALLISON. It is not. I will say to the Senator that this is an appropriation for books for the law library, and they are purchased now under the direction of the Chief Justice. I submit that the Librarian of Congress has better facilities for making the purchases than any other officer about the Capitol.

Mr. WOLCOTT. The Senator from Iowa is correct. Will he assist me to find the appropriation of \$1,000?

Mr. ALLISON. With pleasure.

Mr. HOAR. The Librarian of Congress has arrangements with almost every country of the world for the purchase of books at a large discount, besides the arrangements for the exchange of books.

Mr. WOLCOTT. I understood the matter perfectly well when the Senator from Iowa called my attention to it. It is easy enough to understand. There is a provision here respecting the purchase of books to the amount of \$1,000.

Mr. ALLISON. I will suggest to the Senator that a very quick way of dealing with that would be to make a provision of this kind:

For the purchase of law books for the Library, under the direction of the Chief Justice, \$1,000.

Then you have it all.

Mr. WOLCOTT. No; there is another place in the bill providing for books to be purchased for the use of the circuit courts.

Mr. ALLISON. It is not here.

Mr. WOLCOTT. It is on page 109.

Mr. ALLISON. That refers to another matter entirely.

Mr. SHERMAN. I have had enough experience individually with the Library of Congress and also as chairman of the Library Committee to know that Mr. Spofford has facilities for the purchase of law books which the Supreme Court can not have and can not know about. Discounts are made to the trade, etc., and I think it would be better to leave the purchase of books to an executive officer, the Librarian of Congress, rather than to the Justices of the Supreme Court, who have no facilities of that kind.

Mr. WOLCOTT. That is already agreed to. There is no objection to that.

Mr. ALLISON. I suggest that we get along with the particular matter in hand. I am perfectly willing, if the Senator in charge of the bill is willing, that on page 18, line 1, after the word "Library," there shall be inserted "under the direction of the Chief Justice." Then you will certainly have all the books under the control and direction of the court. When the Senator

from Colorado finds the other matter which he speaks of we can then deal with it.

Mr. HOAR. My recollection is that the other matter was inserted for the first time as an amendment in the sundry civil appropriation bill, and not in this bill at all.

Mr. ALLISON. Undoubtedly.

Mr. DAWES. It is in the bill somewhere.

Mr. CHANDLER. I ask that the pending amendment be reported.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The CHIEF CLERK. On page 17, line 15, it is proposed to strike out the first word "two" and insert "three;" and in line 16, after the word "each," to insert "one of whom shall be appointed by the Supreme Court, and have charge of the law library;" so as to read:

For compensation of Librarian, \$1,000, and for twenty-eight assistant librarians, three at \$2,500 each, one of whom shall be appointed by the Supreme Court, and have charge of the law library.

Mr. ALLISON. That has been agreed to, I think.

Mr. MITCHELL. That can not be agreed to until we understand what has been done with the amendment reported from the committee.

Mr. DAWES. This displaces it.

Mr. MITCHELL. The Senator wishes to have it as a substitute.

Mr. DAWES. I offer this instead of the other amendment.

Mr. MITCHELL. Very well.

Mr. DAWES. The amendments which have been made require a change in the totals here and also in several other places in the bill. I desire to have the Secretary authorized to change the totals when the bill is made up.

The PRESIDING OFFICER. It will be so ordered if there be no objection.

Mr. GORMAN. I do not understand that the amendment has been adopted.

The PRESIDING OFFICER. The amendment has not been acted on. Does the Senator from Oregon modify his amendment according to the suggestion of the Senator from Massachusetts?

Mr. MITCHELL. No sir, I did not, from the fact that it is a committee amendment.

The PRESIDING OFFICER. Then does the Senator from Massachusetts [Mr. DAWES] propose to amend the amendment of the Senator from Oregon?

Mr. MITCHELL. The amendment I submitted was not an individual amendment, but one which was offered by me under instructions from a committee. I do not feel authorized, of course, to accept the suggestion made by the Senator in charge of the bill. He can, however, offer an amendment to the amendment, and we can then vote upon it.

Mr. DAWES. Then I offer the amendment which has been suggested as a substitute for the amendment offered by the Senator from Oregon.

The PRESIDING OFFICER. The amendment as offered by the Senator from Massachusetts to the amendment of the Senator from Oregon will be stated.

The CHIEF CLERK. On page 17, line 15, it is proposed to strike out the first word "two" and insert "three," and in line 16, after the word "each," to insert "one of whom shall be appointed by the Supreme Court, and have charge of the law library;" so as to read:

For compensation of Librarian, \$4,000, and for twenty-eight assistant librarians, three at \$2,500 each, one of whom shall be appointed by the Supreme Court, and have charge of the law library.

Mr. VEST. Mr. President, I understood the Senator from Massachusetts having charge of the bill to say that he was willing to accept the printed portion of the amendment proposed by the Committee on the Judiciary. As his amendment now reads, he strikes out the provision for a catalogue for the law library, and simply gives the appointment of one of the assistant librarians of the Librarian of Congress to the Supreme Court, at a salary of \$2,500 a year; but it leaves out the provision for the catalogues.

Mr. DAWES. The Senator will observe the provision in the bill for the catalogue. The Senator might suggest an amendment to that if he desires, on page 18.

Mr. VEST. Will the Senator read that? I have not noticed any provision there for the purchase of law books.

Mr. DAWES. The provision is:

To enable the Librarian of Congress to continue the work upon the catalogue of the Congressional Library, \$2,500.

Mr. VEST. That is a very different matter; that refers to the catalogue of the Congressional Library, which is entirely different from the law library. The Librarian is doing no work upon the law library.

Mr. DAWES. Up to this time the law library has been a part of the Congressional Library.

Mr. VEST. That is very true; but the law librarian has charge of the law library. I submit, however, to the Senator that the law library is not a part of the Congressional Library, and the Revised Statutes makes the distinction.

Mr. DAWES. If the Senator desires to insert in that place an amendment appropriating so much for the catalogue of the law library, I shall not raise a point of order on it.

Mr. VEST. I would ask the Senator from Massachusetts as we are—I do not say it offensively—entirely at his mercy, not to raise the point of order upon it. I would suggest to him to accept the amendment, or rather not to raise the point of order upon the printed portion of the amendment offered by the Committee on the Judiciary.

Mr. DAWES. I should prefer to offer an amendment in the way of a substitute.

The PRESIDING OFFICER. The amendment would not now be in order. The question is on the amendment of the Senator from Massachusetts [Mr. DAWES] to the amendment of the Senator from Oregon [Mr. MITCHELL]. If the Senator from Massachusetts chooses to modify his amendment so as to meet the suggestion of the Senator from Missouri [Mr. VEST] that can be done.

Mr. DAWES. I will offer an amendment—I do not know that I feel at liberty to propose an amendment to appropriate \$12,000—but a reasonable sum to commence the catalogue, say half that sum, to commence it, in the language the Senator has proposed.

Mr. VEST. I am only able to state that \$12,000 was the amount which the Chief Justice of the United States and the assistant librarian, having charge of the law library, thought the proper sum to put into the amendment.

I only know, as a member of the bar of the Supreme Court, that the catalogue which is in use now is almost, I was about to say useless, but certainly it is exceedingly imperfect. It is a notorious fact to the members of the bar of the Supreme Court of the United States and the justices of the Supreme Court that if a colored man there should die to-morrow it would be almost impossible to run that library.

Mr. ALLISON. Let me suggest to the Senator that I think the Senator from Massachusetts is quite willing to enter upon the work of cataloguing the law library.

Mr. VEST. Very good.

Mr. ALLISON. As I understand, the Chief Justice estimates that it will cost \$12,000; but that work, to be well done, can not be done within this fiscal year. It should cover at least two years or three years.

Mr. VEST. I think that is probable.

Mr. ALLISON. So I suggest that we insert a sufficient amount to commence the work and go on with it by some competent experts in cataloguing, and then next year continue it. That is the way the cataloguing of the Library of Congress and the medical library has been going on from year to year. We have been cataloguing that library for ten or twelve years.

Mr. MITCHELL. The printing will cost over \$6,000, I am told.

Mr. VEST. I wish to make an additional remark as to a matter which has probably escaped the attention of the Senator in charge of the bill. The making of this catalogue will not cost the Government one cent; on the other hand, it will be a most lucrative thing to the Government.

If the Senator has noticed the amendment of the Judiciary Committee, it provides for selling the catalogues, and the members of the legal profession throughout the United States will buy it to such an extent, and also the different law libraries throughout the country, that the sale will more than pay for all the expenses incurred. So the Government really does not pay one cent, but makes money by the operation. It is not contemplated by us to make money out of it, but that will be the result of the amendment. Every lawyer who practices in the Supreme Court will want this catalogue, or a large number of lawyers will want it at any rate. All the law libraries throughout the country will want it.

There is a provision in the amendment for furnishing copies to the justices of the Supreme Court, to the different judicial officers of the District, and to others, and then for the sale to the public of the catalogue when finished. It is estimated by the Librarian, by the Chief Justice, and others that the sale of the catalogue, as I have said again and again, will more than pay for all the expenses attending its preparation.

Mr. MITCHELL. As a compromise of this whole matter, I will modify the amendment which I offered at the instance of the Committee on the Judiciary, by confining it simply to the printed copy of the amendment as it came originally from the committee, leaving out the remainder of the amendment.

Mr. DAWES. That proposes to appropriate outright the whole sum of \$12,000 for the completion of the work. I suggest to the Senator to change it by making the sum \$4,000 to com-

mence the preparation and printing of a subject and authors' catalogue, etc.

Mr. MITCHELL. Yes. I will modify my amendment in that respect.

Mr. DAWES. Let it be inserted between lines 17 and 18.

The PRESIDING OFFICER. The amendment will be stated as modified.

Mr. VEST. Do I understand the Senator from Massachusetts to mean that he leaves off the latter part of the printed amendment?

Mr. DAWES. I leave off the proviso.

Mr. VEST. Does the Senator mean in reference to the number of employés?

Mr. DAWES. Yes.

Mr. VEST. That is not a part of the printed amendment.

The PRESIDING OFFICER. The amendment as modified will be read, to which the Chair invites the attention of the Senator from Oregon and the Senator from Massachusetts.

The SECRETARY. On page 18, line 18, it is proposed to insert:

Four thousand dollars to commence the preparation and printing of a subject and authors' catalogue of the books in the law library of the Supreme Court of the United States; the preparing and printing of said catalogue to be under the control and direction of some competent person designated by the Chief Justice of the United States; said catalogue to be stereotyped and printed for sale to the public at a price equal to the cost of the paper, press-work, and binding, with 10 per cent added thereto, the proceeds of such sales to be paid into the Treasury. One thousand copies of said catalogue, when completed, shall be distributed by the person having charge of said library, as follows: to the President and Vice-President of the United States, 2 copies each; to each Senator, Representative, and Delegate in Congress, 1 copy; to the Library of the Senate, for the use of Senators, 20 copies; to the Library of the House of Representatives, 50 copies for the use of Representatives and Delegates; to the Library of Congress, 30 copies; to the Chief Justice and associate justices of the Supreme Court 2 copies each; to the clerk and reporter of the Supreme Court, 1 copy each; to the law officers of the several Departments, 1 copy each.

Mr. MITCHELL. I ask for a vote on the amendment as modified.

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

The amendment as modified was agreed to.

Mr. DAWES. I inquire whether the amendment suggested in line 1, on page 18, has been adopted?

The PRESIDING OFFICER. The Chair is informed that it has not been adopted. The amendment will be stated.

The SECRETARY. On page 18, in line 1, after the word "Library," it is proposed to insert "under the direction of the Chief Justice."

The amendment was agreed to.

Mr. MITCHELL. Now, I wish to inquire whether the amendment suggested by the Senator in charge of the bill, on page 17, line 15, has been adopted, which amendment was to strike out the word "two" and insert the word "three"?

The PRESIDING OFFICER. The amendment has not been adopted.

Mr. MITCHELL. It ought to be adopted.

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. On page 17, line 15, after the word "librarians," it is proposed to strike out "two" and insert "three;" and in line 16, after the word "each," to insert "one of whom shall be appointed by the Supreme Court and have charge of the Law Library;" so as to make the clause read:

For compensation of Librarian, \$4,000, and for twenty-eight assistant librarians, three at \$2,500 each; one of whom shall be appointed by the Supreme Court and have charge of the Law Library.

Mr. GORMAN. It will be four years before the Congressional Library is removed to the new building, which will not be completed before that time. We have already, by the amendment just adopted, made provision for the preparation of a catalogue under the direction of the Supreme Court or of the Chief Justice. I trust the amendment will be withdrawn, and that we shall be allowed to deal with the question of the reorganization of the Library at the time when the Library is removed to the new building. I think this is unquestionably a change in the law, and I shall have to raise the point of order on the amendment.

Mr. McPHERSON. If I understand aright, this amendment simply adds three assistant librarians at \$2,500 to \$4,000 a year each, when we really do not need them. It simply involves additional expense for librarians who are not needed under the present arrangements, and will not be needed until we remove the Congressional Library to the new building.

Mr. VOORHEES. Mr. President, I did not wish to say anything on this subject, but I happen to know that a more unsatisfactory state of affairs hardly exists in any other branch of the public service than in connection with the Congressional Library and its adjunct, the law library. The clerks there are all overworked. There is not enough force in the main library; there is not enough in the law library; and the two branches ought to

be separated. The law library ought to be placed under the control of the Supreme Court with an additional force.

I do not know whether I am speaking to a pending amendment or not, but I am speaking to the general subject. I shall vote for every step which goes to place the library of the Supreme Court, where, by all the dictates of reason it belongs, under the control of that tribunal.

Mr. MITCHELL. That is the proposed amendment.

Mr. VOORHEES. Then I am in order, perhaps, without knowing it.

The Senator from Maryland [Mr. GORMAN] says it will be four years before the main library goes out of the Capitol building into the magnificent structure which will then be ready for it. That is all true; but these two libraries are separate now; one is in one part of this building and the other is in another part; one is under one control and the other is quasi, as it were, under the control of the Supreme Court. I desire it to be absolutely so. That would be best for the service. The idea of applying to the Librarian on this side of the Capitol building for books in the law library has been an absurdity, obvious to my mind ever since I have been connected with the subject of the Library, and that is as long as I have been a member of this body.

I think this legislation is all in the right direction, and it might as well take place now as later on; it might as well be done now for the same reasons apply, perhaps not so strongly as will apply for years hence. The Senator from Maryland is right when he suggests that they will be perhaps more absolute and imperative in their nature than now, but they exist now. By every reason these two libraries ought to be under different control.

As to the law library, I think the Supreme Court ought to control the appointments, or they ought to be made really by the Chief Justice, so there will be responsibility in the head of that great tribunal.

I did not wish to say anything, Mr. President, but this much I think ought to be said, that this legislation is in the right direction, and I hope as much of it as possible will prevail.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Oregon [Mr. MITCHELL].

The amendment was agreed to.

Mr. ALLISON. I now offer the amendment of which I gave notice last night. I ask the Secretary, instead of reading the amendment from the print, to read it from the manuscript, which I send to the desk, as this morning I sent a copy of the amendment to the Chief of the Bureau of Statistics, and he has suggested a modification of the amendment which I think is proper and wise.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 40, in line 20, after the word "out," it is proposed to strike out:

Words "verified by oath or affirmation," and substituting in lieu thereof the words "certified as to its accuracy by said person or his agent."

And insert:

The paragraph, and inserting:

"That hereafter collectors of customs shall render to the Bureau of Statistics, in such manner and form and at such periods as the Secretary of the Treasury may prescribe, returns of exports to foreign countries leaving the United States by rail. Any person who shall hereafter deliver to any railway or transportation company, or other common carrier, commodities for transportation and exportation by rail from the United States to foreign countries shall also deliver to the collector of customs at the frontier port through which the goods pass into the foreign country a manifest, in such form as the Secretary of the Treasury may prescribe, duly certified as to its accuracy by said person or his agent, exhibiting the kinds, quantities, and values of the several articles delivered by such person or his agent for exportation, with a description by number of the car in which shipped and the route by which shipped. And no railway car containing commodities, the product or manufacture of the United States, or foreign goods, duty paid or free of duty, intended to be exported to any foreign country, shall be permitted hereafter to leave the United States until the agent of the railway or transportation company, or the person having such car in charge, shall deliver to the customs officer at the last port in the United States through which the commodities pass into foreign territory a manifest thereof, which shall specify the kinds and quantities of the commodities, in the form prescribed by the Secretary of the Treasury, until the manifest exhibiting the kinds, quantities, and values of the several commodities to be exported, with description and number of the car in which shipped, and route by which shipped, as above required, shall have been delivered to the collector of customs. The agent or employee of the railway or transportation company who shall hereafter omit or refuse to deliver to the customs officer such manifests of the lading of any car shall be liable to a penalty of \$50 for each offense, or the detention of the car until such manifests shall be furnished, or information satisfactory to such customs officer as to the kind, quantities, and values of the domestic and foreign free or duty-paid commodities laden on such car: *Provided*, That nothing contained in the foregoing shall be held as applicable to goods in transit between American ports by routes passing through foreign territory, or to merchandise in transit between places in the Dominion of Canada by routes passing through the United States, or to merchandise arriving at the ports designated under the authority of section 3003 of the Revised Statutes, and which may be destined for places in the Republic of Mexico."

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

Mr. WASHBURN. This seems to be very important legislation to be inserted on an appropriation bill at the last moment.

If it is subject to a point of order, I desire to make the point of order, as it is evidently new legislation. I think the point of order is good.

Mr. ALLISON. If the Senator, who was not present last evening when I offered the amendment, will listen to me a moment, I am sure he will not make the point of order.

The PRESIDING OFFICER. Does the Senator from Minnesota withdraw the point of order against the amendment?

Mr. WASHBURN. For a moment.

Mr. ALLISON. Mr. President, I desire to make a brief explanation respecting the amendment.

Two years ago, on the legislative, executive, and judicial appropriation bill, there came to us from the House of Representatives, under the heading of "Bureau of Statistics," a long provision which it was stated was necessary in order that that Bureau might have a record of the exports by rail as well as otherwise. We examined that clause as carefully as we could, submitting it to the Chief of the Bureau of Statistics. It was originally prepared by Mr. DINGLEY, of the House of Representatives, and after examination we added certain words to it. With the added words the amendment was agreed to and is now the law.

The provision as it now stands as part of the law of the United States requires every shipper who intends to ship goods to a foreign country by rail to make out a manifest of the quantity, character, and value of those goods, and hand that manifest to the agent of the railway or transportation company which carries the goods to the foreign market. The law as it stands requires, in addition to that, that the agent of the railway company carrying the goods shall also make a manifest, which he shall deliver to the collector at the port of exportation, and that the railway company shall not only make that manifest, but that it shall be accompanied by all the manifests which have been made prior to that time by the different shippers who have goods in those cars.

There is a penalty of \$25 imposed by the law on any agent of a railroad company who exports goods by rail which are not accompanied with the railroad manifest from the shipper. In addition to that, there is a penalty against the railway which transports the goods without making another manifest at the port of exportation, thus requiring two manifests.

There are two objections made to this law. One is that the shipper himself in Iowa, if you please, or Minnesota or Colorado, does not desire to furnish that manifest to the agent of the railroad company there. That is one objection made by the shipper.

Another objection is that the railway company in the interior does not desire to subject itself to a fine, if it carries forward to Chicago or to Detroit, as the case may be, goods not accompanied by the manifest of the original shipper.

Application was made, I will say, at a late day—and that is the reason, perhaps, why I have charge of this amendment, rather than the Senator from Massachusetts [Mr. DAWES]—application was made to the Senator from Illinois [Mr. CULLOM] and myself, and we were told that the present law worked an injustice. The law was only passed in August last, and the Secretary of the Treasury has prepared elaborate instructions under it. It is complained of both by the shippers and by the railways that there is too much machinery in this business to facilitate the export of goods by rail, and that it is not necessary for mere statistical purposes that all this machinery should be employed.

Therefore the amendment was prepared, leaving out many of the provisions in the existing law. I offered the amendment last night, making such explanation as I then could. This morning early I submitted a copy of the amendment to the Chief of the Bureau of Statistics. He made one suggestion, which I think is a good one, and that is, that the shipper, instead of making out the manifest and transmitting it through the railway company to the collector at the port of exportation, may start his goods on their pathway and send the manifest, if he chooses, to the collector at the port of exportation. Then his business competitors do not know what he is about, as they do now.

So while this is in one sense important legislation, it is important legislation merely for statistical purposes. It does not deal with any question in reference to contests, with which the Senator from Minnesota [Mr. WASHBURN] is familiar, and with which we are all familiar.

I have no special interest in this question. I will read the statement of the Chief of the Bureau of Statistics. He says:

TREASURY DEPARTMENT, BUREAU OF STATISTICS.
Washington, D. C., February 25, 1893.

Sir: In reply to your inquiry as to the amendment of the law respecting exports by railways, I submit an amendment to the amendment as shown in typewriting in inclosure, which I think it very important to have inserted. With this change it will meet my approval.

Respectfully yours,

S. G. BROCK, Chief of Bureau.

HON. WILLIAM B. ALLISON,
United States Senator, United States Senate.

The Senator can examine these laws if he desires to do so. I

have gone into the subject with great care. It is a matter of moment to all the shippers and all the railways in the region where the Senator and I live.

Mr. WASHBURN. Of course in the hasty reading at the desk I did not take in the point of the proposed amendment, but as the Senator states that it applies only to the question to which he has referred, and applies to nothing else—

Mr. ALLISON. It applies to nothing else.

Mr. WASHBURN. Of course I have no objection to it.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on the amendment.

Mr. MCPHERSON. I should like to ask the honorable Senator from Iowa in what regard the amendment simplifies or removes any part of the machinery found in the old law or makes the exportation more easy? I suppose the object of the Senator is to aid exportation, to remove obstacles in the way of exportation. I ask in what way does the amendment simplify the existing law?

Mr. ALLISON. The amendment simplifies the existing law in this respect: At present there are two sets of manifests required, one to be made by the shipper or by a number of shippers, as the case may be. If two or more persons make a shipment in a single car they must each make out a manifest under existing law and submit it to the transportation company. If the transportation company shall ship an article for export without that manifest the company is liable to a fine.

In addition to that, at the port of exportation the transportation company, under existing law, is required to make out another manifest; and that manifest has to be accompanied by all the manifests which the shippers have produced away back where the commerce originated or the goods were first shipped. So it is a cumbrous machinery, and it is an unnecessary machinery for mere statistical purposes. That is all.

Mr. MCPHERSON. Is the Senator quite sure that his amendment accomplishes that purpose? I am referring to the amendment as it is found on the first page. The amendment provides that any shipper of goods, whoever he may be, desiring to transport goods for exportation, must furnish a manifest to the collector of customs at the frontier.

On the second page of the amendment there is this provision:

And no railway car containing commodities, the product or manufacture of the United States, or foreign goods, duty paid or free of duty, intended to be exported to any foreign country—

Mr. ALLISON. From where is the Senator reading?

Mr. MCPHERSON. I read first from page 1 of the amendment, where it is required—and I suppose the Senator will not dispute the fact—that when goods are shipped a manifest shall be delivered by the shipper to the collector of customs. That is conceded, is it not?

Mr. ALLISON. Undoubtedly.

Mr. MCPHERSON. Then, turning to the second page of the amendment—

Mr. ALLISON. What line?

Mr. MCPHERSON. In line 16, it is provided "and no railway car containing commodities, the product or manufacture of the United States, or foreign goods," shall start upon its journey until a manifest is delivered to the agent of the railroad or transportation company.

Now, going down to line 6, I need not read all the intervening part—

Mr. ALLISON. I trust the Senator will read it.

Mr. MCPHERSON. Very well. The amendment continues: Shall be permitted hereafter to leave the United States until the agent of the railway or transportation company or the person having such car in charge, shall deliver to the customs officer at the last port in the United States through which the commodities pass into foreign territory a manifest thereof.

Under this amendment, as I read it, the owners would be forced to furnish to the collector of customs as well as to the agent of the railroad or transportation company a manifest. In short, it obligates the owner or the shipper to furnish two manifests instead of one.

Mr. ALLISON. No, Mr. President; if the Senator will look carefully at the language he will see that he is all wrong about this.

And no railway car—

I am reading now where the Senator commenced reading—

And no railway car containing commodities, the product or manufacture of the United States, or foreign goods, duty paid or free of duty, intended to be exported to any foreign country, shall be permitted hereafter to leave the United States.

Mr. MCPHERSON. Very well; go on.

Mr. ALLISON. It continues:

Until the agent of the railway or transportation company, or the person having such car in charge, shall deliver to the customs officer at the last port in the United States through which the commodities pass into foreign territory a manifest thereof, which shall specify the kinds and quantities of the commodities.

Mr. MCPHERSON. I hope the Senator will read on.

Mr. ALLISON. It continues:

In the form prescribed by the Secretary of the Treasury; and said manifest shall be accompanied by the manifest thereof of the owners, shippers, or consignors of the commodities herein above required.

That manifest is in the hands of the customs officer.

Mr. MCPHERSON. Very well. As I understand, the logical deduction from the language of the amendment would be that if a shipper of goods from the interior of Maine or Vermont desired to ship goods into Canada, he would be required to furnish two manifests.

Mr. ALLISON. Two manifests?

Mr. MCPHERSON. Yes, one to the collector of customs on the frontier, where the goods are on their way to Canada, and another manifest would be required to be furnished to the agent of the railroad company, which would accompany the manifest of the agent of the railroad company as well.

Mr. ALLISON. Very well.

Mr. MCPHERSON. What is the meaning of that? It simply means a double duty; it means an obstacle, a hindrance in the way of exportation. See what the effect of that would be. Take a single carload of goods from the central part of a State, say along the frontier. It may contain twenty different articles. One farmer may bring a barrel of eggs, another a barrel of potatoes, another a barrel of wheat, another a box of bacon, and under this amendment they will be required to furnish a manifest, not only to the collector of customs, but also to the railroad agent. Why is it not far simpler to leave this matter exactly as the House of Representatives left it? What does the provision of the House do? It proposes that the manifest shall be made out under some system proposed by the Secretary of the Treasury, so that when a farmer shall go to the station he shall go prepared with one of these certificates, and before he gets his bill of lading he hands the certificate to the agent, and the agent transmits it to the collector of the port.

There is the simplest process in the world. We simply say that a farmer shall not be required, as under the original law, to make affidavit to the fact that a particular barrel contains pork, or apples, or potatoes, or whatever it may be. It seems to me the simple way of doing it is exactly the way in which the other House has done it.

Mr. ALLISON. The House has not done it at all. The House has made no arrangement.

Mr. MCPHERSON. Is this not the House provision? When I look on page 40 of the bill as it came from the other House I find:

That the paragraph in section 1, subdivision "Bureau of Statistics," of "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes," approved July 16, 1892, relating to the returns of exports to foreign countries leaving the United States by rail, is hereby amended by striking out the words "verified by oath or affirmation," and substituting in lieu thereof the words "certified as to its accuracy by said person or his agent."

Now, how does that leave it? One hundred farmers, we will say by way of illustration, in a single township go to a central railroad station. They desire to ship goods to Canada. They go with the certificate prepared and not with a sworn affidavit, each of them making out a statement of what his goods consist of.

Mr. ALLISON. Will the Senator yield to me for a moment?

Mr. MCPHERSON. When I finish the sentence.

The railroad agent is given a receipt for the goods, and he can demand the certificate. That is the simplest method in the world. The railroad agent transfers that certificate to the collector; and that is exactly the way it would be under the provision in the bill as it came from the House, as I understand the proposition.

Mr. ALLISON. The Senator from New Jersey—and I do not think it strange at all—has not examined the subject with the care with which I have examined it. The House of Representatives in this provision simply undertakes to do away with one thing which is now in the existing law, and that is, it substitutes a certificate for an oath or affirmation. The original law required every man who presented a manifest to swear to it, not only to present a manifest such as the Senator speaks of, but to make oath or affirmation as to the truth of it.

The House made that partial correction, that being absolutely unnecessary, the House said, and instead of making that oath or affirmation, he might make certification. We propose to go on and deal with the substance of this law, by minimizing and limiting the requirements found in the statute, so as not to make it burdensome to the people who deal with this question, whether they be transporters or shippers. If Senators can not understand the amendment well enough to know that the object of it is in the interest of the public, then I shall abandon any attempt to secure the adoption of the amendment. That is all there is of it.

Mr. MCPHERSON. Will the Senator from Iowa permit me to ask him a question?

Mr. ALLISON. Yes.

Mr. MCPHERSON. Suppose that A, a shipper in the central part of Maine, ships a half carload of goods and B ships a half carload of goods down to some point on the St. Lawrence River on their way to Canada. Shipper A has sent his certificate to the collector, and shipper B has failed to send his certificate to the collector. Under the amendment offered by the Senator from Iowa, shipper A's goods can not go away from the United States until the certificate of shipper B shall reach the collector.

That I understand to be the effect of the amendment of the Senator from Iowa. I want to avoid all that. I want the farmer and the railroad agent to settle the question at the station, so that when they get through with that settlement, the goods shall not be prevented from going anywhere by reason of the want of a certificate. I want no farmer to be compelled to make affidavit to the fact that a certain barrel contains apples instead of potatoes; I want him simply to come in with his statement, "Here is a barrel of potatoes," certify it, and hand it to the agent, and then the agent hands a receipt for the goods to be shipped to Canada. The farmer ought not to be provoked beyond that; he ought not to be required to send a certificate of a keg of butter or a basket of eggs to a collector on the St. Lawrence River before he can export the goods to Canada. Let him hand the certificate to the railroad agent as the collector certifies it, and then let the railroad agent give him a receipt.

Certainly this answers all the purposes we have in view, I say to the Senator from Iowa, which are nothing in the world but to get an approximate idea of the amount of statistics of the export of articles which go by rail, and we can not gather those statistics in any other way. I admit that we can not gather them unless by the adoption of some system of this kind, but let us simplify it so as to throw no obstacle in the way of a man exporting his goods. The way to simplify the whole business is to take the amendment and strike out the oath or affirmation which is required by it, and let the railroad agent satisfy the collector with the certificate handed to him.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. HILL. I call the attention of the Senator from Iowa to the difficulty in his amendment where it provides that the shipper shall deliver the manifest "with a description by number of the car in which shipped and the route by which shipped."

How can the shipper know by what car these goods are to be shipped? It strikes me there is a practical difficulty. The shipper can not wait around to find out in what car his goods are to be shipped. It seems to me that is an unnecessary provision. The goods go into the stations and wait there, and perhaps go into a half a dozen different cars.

Mr. ALLISON. To what part of the amendment does the Senator refer?

Mr. MCPHERSON. Near the top of the second page, lines 15 and 16.

Mr. ALLISON. There may be force in the suggestion of the Senator from New York, but as this amendment, *in hæc verba*, was sent to me by the transportation companies, I took it for granted that they knew something about what they were doing. I am perfectly willing to modify the amendment in that way.

Mr. MCPHERSON. I wish the Senator from Iowa would modify the amendment so as to avoid the necessity of every shipper being compelled to know in what car his goods are put, or the number of the car, because it is well known that shippers bring their goods to the station and they may be loaded on cars several days subsequently. How can they know the number of the car or notify the collector of that fact?

Then, I wish the Senator would further modify his amendment so that it will require but one set of manifests under any circumstances. Then, if he thinks the amendment is any betterment of the present law, I shall be perfectly content with it.

Mr. ALLISON. I am perfectly willing to strike out the words suggested by the Senator from New York and the Senator from New Jersey; indeed I am willing that the amendment shall be voted down. I know that it is a great deal better than the existing law, and I have proposed it, as I have said, after the best examination I could make. If Senators do not wish to modify the law, I am sure my constituents can stand it.

Mr. DAWES. I suggest that we let it go into conference, where there will be more time to consider it, and the Senator from Iowa will have an opportunity to mold it into just such shape as is desired.

Mr. CULLOM. I think that is right.

Mr. ALLISON. I am perfectly willing to strike out that portion of the amendment relating to the description of the number of the car and the route by which goods are shipped. I think

there is no difficulty in designating the number of the car, however.

Mr. MCPHERSON. I suggest to the Senator to strike out all after the word "exportation," in line 15, where it reads "delivered by such person or his agent for exportation."

Mr. ALLISON. Including the word "shipped," in line 16.

Mr. MCPHERSON. Yes.

Mr. ALLISON. Very well; let that go out.

Mr. MCPHERSON. And beginning with the words "with a description by number of the car."

Mr. ALLISON. Yes, sir. I will modify the amendment in the way I have indicated.

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. It is proposed to strike out of the printed amendment, after the word "transportation," in line 15, as follows:

With a description by number of the car in which shipped and the route by which shipped.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. MCPHERSON. I hope the Senator will make it absolutely sure in lines 27 and 28 that only one set of manifests shall be necessary. I think this would require two manifests, one to the railroad agent and the other to the collector.

Mr. ALLISON. I trust the Senator will not ask me to deal with that question. If he will examine the amendment with care in connection with the existing statutes, and there shall be trouble about it, we can modify it in conference.

Mr. MCPHERSON. I am satisfied if that be the understanding.

The PRESIDING OFFICER. The question is on the amendment as modified.

The amendment as modified was agreed to.

Mr. DAWES. Now, I believe all the amendments have been acted on.

The PRESIDING OFFICER. The Senator from Indiana [Mr. TURPIE] desires to offer an amendment.

Mr. TURPIE. I offer an amendment on page 87, lines 9 and 10, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 87, lines 9 and 10, it is proposed to strike out "\$1,300 each, \$195,000," and insert "\$1,400 each, \$210,000;" so as to read:

For an additional force of one hundred and fifty special examiners for one year, at a salary of \$1,400 each, \$210,000.

Mr. TURPIE. The only object of the amendment is to restore to several examiners of the Pension Office the salary they have had since the creation of the office for the last ten years, to \$1,400 each. The bill as it came from the House reduced their salary \$100, making it \$1,300. I think \$1,400 is not an exorbitant salary for such services.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Indiana.

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.

Mr. DAWES. I move that the Senate ask for a conference with the House of Representatives upon the bill and amendments.

Mr. ALLISON. I do not wish to interfere in this, but, if the Senator will allow me one moment, I think that in these matters it is better to give the House of Representatives a chance to act on our amendments.

Mr. DAWES. I make the motion at the suggestion of a member of the Committee on Appropriations of the other branch. It is unusual I know. I should not have made the motion if I had not had repeated requests from the Appropriations Committee of the other House.

Mr. ALLISON. Very well. I am not objecting to it, but I wish to say that I do not desire this in any sense to be regarded as a precedent.

Mr. DAWES. Of course I can not say here publicly what were the reasons suggested. The suggestion was made by a member of the Committee on Appropriations of the other branch. The reasons, I suppose, must be apparent to every member of the Senate. I know it is unusual to take such a course.

Mr. ALLISON. I do not object.

The PRESIDING OFFICER. If there be no objection the motion of the Senator from Massachusetts will be considered as agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. DAWES, Mr. ALLISON, and Mr. COCKRELL were appointed.

MOBILE AND DAUPHIN ISLAND TRESTLE.

Mr. VEST. Upon consultation with the Senator from Tennessee [Mr. HARRIS] and the Secretary of the Senate, I am satisfied that the action taken by the Senate in regard to the bill which was returned by the President, is not correct. I therefore ask the Senate to pass the concurrent resolution, which I send to the desk, in order that it may go to the House of Representatives at once.

The PRESIDING OFFICER. The concurrent resolution will be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring). That the Committee on Enrolled Bills be, and they are hereby, authorized to correct the enrolled 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 20, 1890, by striking out the word "six" in the second line and inserting the word "four;" and the figure "6" in the sixth line and inserting the figure "4."

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

Mr. VEST. I ask unanimous consent that the action of the Senate this morning in reference to this matter be reconsidered.

The PRESIDING OFFICER. If there be no objection it will be so ordered. The Chair hears none.

ORDER OF BUSINESS.

Mr. HANSBROUGH. Mr. President—

Mr. STEWART. I desire to call up an appropriation bill. I do not think it will take more than a few minutes.

Mr. HANSBROUGH. I think we had better get the liquor-license bill out of the way first.

Mr. STEWART and others addressed the Chair.

The PRESIDING OFFICER. The Chair has recognized the Senator from North Dakota [Mr. HANSBROUGH].

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill (H. R. 10266) regulating the sale of intoxicating liquors in the District of Columbia.

The motion was agreed to.

Mr. SHERMAN. Now, as that bill has been taken up and will be the unfinished business to-morrow, I move that the Senate proceed to the consideration of executive business.

Mr. HARRIS. I wish to suggest to the Senator from Ohio that the Senator from New York [Mr. HILL] gave notice this morning that at 5 o'clock he would ask the Senate to give attention to a matter which is never postponed.

In that connection, I wish to suggest to the Senator from North Dakota, that if he expects to get the bill which he has in charge considered, there are hardly minutes enough between now and 5 o'clock for him to get it through.

Mr. SHERMAN. The Senator gave way for the reason that it will be the unfinished business and can not be considered to-day.

Mr. HANSBROUGH. I understand that this bill stands now as the unfinished business, so as to come up the first thing on Monday morning. As the Senator from Ohio is very anxious for an executive session, I yield to him.

Mr. BLACKBURN. No; this bill does not come up the first thing on Monday morning.

Mr. ALLISON. It will come up at 2 o'clock.

Mr. SHERMAN. It will come up at 1 o'clock when the Senate meets at 11. I insist on my motion, which is not debatable.

Mr. GORMAN. I understand that the bill now before the Senate is the bill reported from the Committee on the District of Columbia and that it is absolutely necessary that it should be disposed of before we can get through with the District of Columbia appropriation bill. It is upon that statement that Senators upon this side of the Chamber have voted to take up the bill.

Mr. SHERMAN. I wish to state to the Senator from Maryland that I do not think the executive session will last more than a short time, and there is a necessity for it. I do not intend at all to interfere with the notice given by the Senator from New York [Mr. HILL]. I therefore insist on my motion.

Mr. GORMAN. I should like to finish my statement. As I understand, the passage of the liquor-license bill is absolutely necessary so as to enable us to dispose of the District of Columbia appropriation bill; in other words, the license system is part of the revenue system which must be adjusted before appropriations can be intelligently made. Following this bill is the pension appropriation bill, appropriating \$165,000,000, which the Senator from Nevada [Mr. STEWART] has just given notice that he will call up on Monday morning.

Mr. SHERMAN. I think the pending question is not debatable.

The PRESIDING OFFICER. The question is not debatable.

Mr. GORMAN. What is not debatable?

The PRESIDING OFFICER. The motion to proceed to the consideration of executive business.

Mr. GORMAN. I did not know a motion of that kind was pending.

Mr. SHERMAN. That was the motion I made.

The PRESIDING OFFICER. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of executive business. [Putting the question.] In the opinion of the Chair the yeas have it.

Mr. SHERMAN. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. I wish to make an inquiry. Has the excise bill for the District of Columbia been taken up?

The PRESIDING OFFICER. It has been.

The Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. SAWYER (when his name was called). I am paired with my colleague [Mr. VILAS], who is unavoidably absent from the Chamber.

Mr. GEORGE (when Mr. WALTHALL'S name was called). My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He is paired with the Senator from Rhode Island [Mr. DIXON].

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

The roll call was concluded.

Mr. CULLOM (after having voted in the affirmative). I observe that the Senator from Delaware [Mr. GRAY], with whom I am paired, is not present. I therefore withdraw my vote.

Mr. WILSON. I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. DIXON. I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. CALL (after having voted in the negative). I am paired with the Senator from Vermont [Mr. PROCTOR]. Finding he is not present I withdraw my vote.

Mr. HANSBROUGH. I am paired with the Senator from Illinois [Mr. PALMER].

Mr. CAREY (after having voted in the affirmative). I ask to withdraw my vote. I am paired with the Senator from South Carolina [Mr. IRBY].

Mr. HISCOCK (after having voted in the affirmative). Has the Senator from Arkansas [Mr. JONES] voted?

The PRESIDING OFFICER. He is not recorded.

Mr. HISCOCK. I withdraw my vote, as I have a pair with that Senator.

Mr. CHANDLER (after having voted in the affirmative). I am paired on this question with the junior Senator from New Jersey [Mr. BLODGETT]. Therefore I desire to withdraw my vote.

Mr. BLACKBURN. By a suggestion on both sides, I ask that my colleague [Mr. LINDSAY], who is absent, may stand paired with the Senator from Maine [Mr. FRYE], who is also absent.

Mr. CHANDLER. I transfer my pair with the junior Senator from New Jersey [Mr. BLODGETT] to the junior Senator from Vermont [Mr. PROCTOR], which will enable the Senator from Florida [Mr. CALL] and myself to vote. I vote "yea."

Mr. CALL. I vote "nay."

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. On the suggestion of the Senator from Florida [Mr. PASCO] I transfer that pair to the Senator from North Dakota [Mr. CASEY], and I vote "yea."

Mr. BATE (after having voted in the negative). I wish to withdraw my vote. I am paired with the Senator from Washington [Mr. ALLEN].

The result was announced—yeas 21, nays 26; as follows:

YEAS—21.

Chandler,
Cullom,
Davis,
Dawes,
Felton,
Gallinger,

Hawley,
Higgins,
Hoar,
Jones, Nev.
McMillan,
Manderson,

Mitchell,
Morrill,
Paddock,
Platt,
Sherman,
Shoup,

Squire,
Stockbridge,
Washburn.

NAYS—26.

Berry,
Blackburn,
Butler,
Call,
Cockrell,
Coke,
Daniel,

Gibson,
Gorman,
Hale,
Harris,
Hill,
Huntton,
Kyle,

McPherson,
Mills,
Pasco,
Peffer,
Power,
Pugh,
Ransom,

Teller,
Turple,
Vance,
Vest,
Voorhees.

NOT VOTING—41.

Aldrich,
Allen,
Allison,
Bate,
Blodgett,
Brice,

Caffery,
Camden,
Cameron,
Carey,
Casey,
Colquitt,

Dixon,
Dolph,
Dubois,
Faulkner,
Frye,
George,

Gordon,
Gray,
Hansbrough,
Hiscock,
Irby,
Jones, Ark.

Lindsay,
Morgan,
Palmer,
Perkins,
Pettigrew,

Proctor,
Quay,
Sanders,
Sawyer,
Stanford,

Stewart,
Vilas,
Walthall,
Warren,
White,

Wilson,
Wolcott.

So the motion was not agreed to.

CRANK & HOFFMAN.

Mr. PEPPER. I wish to call the attention of the Senate to an error in our records. On the 15th day of February I reported with an amendment from the Committee on Claims the bill (S. 2793) for the relief of Crank & Hoffman, which is now on the Calendar, Order of Business 1343. I observe that in the RECORD and on the Calendar the bill appears to have been reported without amendment. The amendment is a very important matter, and I desire to call attention to it, so that the correction may be made.

The VICE-PRESIDENT. The Calendar will be corrected.

LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. HANSBROUGH. I ask the Senate to proceed to the consideration of the bill (H. R. 10266) regulating the sale of intoxicating liquors in the District of Columbia.

The Senate, as in Committee of the Whole, resumed consideration of the bill.

Mr. HUNTON. Will the Chair state the question before the Senate?

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment of the Senator from Virginia [Mr. HUNTON].

Mr. HANSBROUGH. Let the amendment be read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the following words:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home.

The VICE-PRESIDENT. The amendment to the amendment will be read.

The CHIEF CLERK. After the word "Home," in line 6 of the same section, insert the following:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

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

Mr. HANSBROUGH. Do I understand that it is the purpose of the Senator from Virginia to strike out the words "except such laws as are applicable to the sale of liquor within one mile of the Soldiers' Home" and to insert the amendment offered by the Senator from West Virginia [Mr. FAULKNER]? Is that the proposition of the Senator from Virginia?

Mr. HUNTON. I did not agree to accept the amendment of the Senator from West Virginia to my amendment. I understand from the Senator from Maryland [Mr. GORMAN] that the amendment offered by the Senator from West Virginia is satisfactory all around, and if he will so state, I shall not oppose it.

Mr. GORMAN. I have no hesitation in saying that from what I learn here (and I have given this matter a good deal of attention and I have talked about it to people all around who are interested in the District) the amendment offered by the Senator from West Virginia limiting the sale of liquor to half a mile from the Soldiers' Home will be satisfactory to everybody, I understand, and will enable the law to remain in force and be executed properly.

Mr. McMILLAN. I will state that I have given this matter a good deal of attention; I have examined the maps very closely; and the amendment suggested by the Senator from West Virginia would be entirely satisfactory to me. The half-mile limit would cover the ground that is generally objected to by those who desire the 1-mile limit; and then the passage of this bill will do away with small grogeries, such as existed there before the 1-mile limit act was passed. I think there will be no objection to it by the people who live in that neighborhood.

Mr. HARRIS. However satisfactory the amendment may be to the Senator from Michigan and to the Senator from Maryland, and to certain people to whom they refer, it certainly is not satisfactory to the governor of the Soldiers' Home. He distinctly states to us that that limitation has worked evil and only evil to the discipline of the home.

Mr. GORMAN. The mile limit?

Mr. HARRIS. The mile limit. If the Senator wants to emphasize that fact I suppose he would assume that the provision proposed would work only half the evil a mile limit would do, it being a half-mile limit. Exactly why we should apply a different rule of law to that little spot and part of the District of Columbia which is applied to this city and every other part of the District is what I have never been able to see.

It is what I do not see now, and what I never expect to be able to see. The legislation was unwise in the beginning; it was im-

proper in the beginning, in my opinion, and I am heartily in favor of repealing it and subjecting every square foot of the territory within the District to exactly the same rules of law, be they what they may.

Mr. HUNTON. I heartily concur in what is said by the Senator from Tennessee, but I have always been taught to believe that "half a loaf is better than no bread." I believe that a one-mile limit or half a mile limit is wrong in itself. I believe further that it is injurious to the home.

When this matter was up yesterday the Senator from West Virginia said that the governor of the Soldiers' Home had reported truly that the one-mile limitation in the former law had been a disadvantage to the home in multiplying liquor shops and places where liquor is sold, on Seventh street particularly; that that was due to the fact that there was no law in the city of Washington prohibiting the sale of liquor anywhere; and by reason of the failure of law to prohibit the sale of liquor the grogshops multiplied in the neighborhood of the Soldiers' Home and had destroyed the benignant effect of the one-mile limit, which was intended to benefit the Soldiers' Home.

I cited in what I had to say yesterday a decision of the supreme court of the District of Columbia in *The United States vs. Nau*, in which the court decided that the legislative District law was a law for revenue, and where the parties paid or offered to pay the revenue, that being done they had the license to sell. That was the necessity for the measure which passed through the Senate a little while ago. But, sir, while that is true as to the rest of the District of Columbia, and there is no law now according to this decision of the supreme court by which persons can be punished for selling liquor provided they pay or tender the amount of assessment for that purpose, yet in the one-mile limit there is a law expressly prohibiting the granting of licenses.

I wish to call the attention of the Senate to that law, and to show that the Senator from West Virginia was entirely mistaken when he said that there was no law requiring a license within the mile limit, and hence the failure of the one-mile-limit law. When the one-mile limit law was passed, it was in these words:

That on and after the passage of this act no license for the sale of intoxicating liquor at any place within one mile of the Soldiers' Home property in the District of Columbia shall be granted.

This law applied only to the district 1 mile from the Soldiers' Home. So far as the territory was concerned within 1 mile of the Soldiers' Home there was this new law, which prohibited a license within 1 mile of the Soldiers' Home. So while the supreme court decision applied to the rest of the District of Columbia it did not apply to that one-mile limit, because the law establishing a one-mile limit expressly prohibited a license for that territory. Therefore it took it out of the general law under which the supreme court said where a person paid his assessment or tendered it to the proper officer, that of itself was a license to sell liquor. But when we come to consider the law establishing the one-mile limit we find the Congress of the United States said that within that one-mile limit no license should be granted to sell liquor.

So the argument of the Senator from West Virginia, that the one-mile limitation had failed of its purpose because there was no punishment for selling liquor, does not apply to that one-mile limit. Therefore, the letter of the governor of the Soldiers' Home, asking the Congress of the United States to repeal the one mile limitation, is not due to the fact that there was no punishment for selling liquor in that mile limit without a license. Notwithstanding that, the governor of the Soldiers' Home writes a letter here, which was read to the Senate yesterday, imploring that the one-mile limitation be repealed, because it broke up the discipline of the home and had ruined some seventy or eighty members of the home.

With this evidence before me and before the Senate, it seems to me it is our bounden duty to that home and to the old soldiers who are stationed at the home to repeal the one-mile limit and let the governor, who is the best judge of all these things, have the best means of enforcing the discipline attending the administration of the home. I am therefore decidedly of the opinion that there ought not to be any limitation at all; and the governor of the home says the same thing. But I do say that if we can not get the mile limit repealed we had better have it reduced to half a mile.

Mr. MCPHERSON. I presume the Senator from Virginia has been explaining the very thing I want some light upon; but addressed himself to the other side of the Chamber, as though they were the only parties in doubt, and therefore I shall have to ask him a question for information if he will bear with me. This proposed law, I am now told, will be really the first license law we shall have had in the city of Washington; at least none exists here. Will it be possible under the pending bill for the excise commissioners to prevent the sale of liquor within that one-mile limit from the Soldiers' Home?

Mr. HUNTON. I will answer the Senator from New Jersey

with a great deal of pleasure. The District Commissioners under this bill, if it becomes a law, will have the same power to regulate the sale of liquor within the 1-mile limit that they will have to regulate it in the other parts of the District of Columbia.

Mr. MCPHERSON. Or prohibit it?

Mr. HUNTON. Or prohibit it, if it is not a proper place; and a high license is put upon it so as to put the sale of liquor in the hands of the best men. That is my understanding of the proposed law.

Mr. MCPHERSON. Then, I should like to ask one more question, if the Senator from Virginia will yield.

Mr. HUNTON. With pleasure.

Mr. MCPHERSON. If by licensing proper places (because an improper place or one improperly conducted would hardly maintain its license to sell liquor within the District of Columbia, we will assume) the limit should extend to within 1 mile of the Soldiers' Home, it is reasonable to suppose that soldiers who are dissipated or inclined to visit places where intoxicating drinks are sold could not get drinks quite so easily as they could if such a place were upon the borders of the soldiers' reserve. What, then, is the objection to leaving the 1-mile limit as it now stands?

Mr. HUNTON. I will tell the Senator from New Jersey what the governor of the home says on that subject. He says that when the old soldiers who are fond of drinking walk a mile to get a drink they recollect when they get there that if they go back after taking one drink they will have to walk a mile back to get another, and the consequence is that they take several drinks before they go back, and they come back drunk. That is his view.

Mr. MCPHERSON. Whereas, if it were near to them they could go often?

Mr. HUNTON. They would take a glass of beer and go back to the home, and in the course of the day take another glass of beer, and they would not get drunk. That is his view.

Mr. MCPHERSON. Who is the gentleman who has charge of the Soldiers' Home?

Mr. HUNTON. Gen. Kelton.

Mr. HANSBROUGH. I desire to have the amendment stated as the clerks now have it. It comes in after the word "Home," in line 6, I believe.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the words "except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home."

Mr. HANSBROUGH. I understand that the pending question is the amendment of the Senator from West Virginia [Mr. FAULKNER]; and as offered by him yesterday, I remember that it comes in after the word "Home," in line 6. The amendment that is being considered now comes in at that point.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. After the word "Home," in line 6 of section 21, insert:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

Mr. HANSBROUGH. That is the pending amendment.

Mr. VEST. I should like to understand now what is the proposition of the Senator in charge of the bill. How does he want the limit fixed?

Mr. HANSBROUGH. The amendment of the Senator from West Virginia fixes the limit at one-half a mile instead of a mile as agreed upon by a majority of the committee yesterday.

Mr. VEST. Now, I want to say a word upon that proposition. I do not think I shall be suspected of being a prohibitionist. I have never voted in that direction and I have my own opinions fixed in regard to what are the best instrumentalities for temperance. Absolute prohibition is not the road which I would pursue to an end which all good and intelligent people desire.

I listened very intently to the letter of the governor of the home. The argument has just been repeated in a terse manner by the Senator from Virginia [Mr. HUNTON]. It is that if you put the limit at a mile the old soldiers will go there with the appetite for drink upon them, and rather than walk the mile back and go for another drink they will take two drinks or three drinks, and then it is a mere question of capacity, for after the third drink the limit is entirely taken off. If that argument is worth anything there ought not to be any limit, and there ought to be a saloon inside the home, because the argument is that they will drink anyhow, and if you put the saloon or the liquor at a distance from them you increase the temptation to take too much; it being granted that the appetite exists, and they will have the liquor, the nearer you put the saloons to them the less they will drink. In my opinion that is an entire fallacy.

This is not a matter of conjecture or theory; it is a matter of actual experience. Those of us who have been in this city as

long as I have been here, for fifteen years, and who have seen the operations of this theory of intemperance, or temperance, if you choose to so term it, as to the soldiers in the home, know a greater scandal and disgrace has never existed in any civilized community than could be seen upon pay day or when they received their pensions in the immediate vicinity of the Soldiers' Home; those old soldiers' would be lying around the immediate limits in a state of insensibility upon all the roads. They could not step out of the limits of the home without finding a dead-fall there, with such liquor for sale as would make a man commit any felony ready at hand. Cormorants worse than vultures were there waiting for them. It was not only a scandal but it was a crime committed.

If we put the limit at a mile, as I understand it, without having looked at the map, you come down nearly to New York avenue, in the city, and you take away from the Commissioners their discretion as to granting license for a very large portion of the city. By putting it at a half mile, as the amendment proposes, we remove the grogshops with the villainous mixture called alcoholic stimulants away from the immediate vicinity of the home, and yet a sufficient distance not to expose these men to the temptation that would necessarily arise if they were right at hand. It seems to me a fair compromise and a just one. While I would vote against taking away the limit altogether, I am entirely willing to vote to make it a half-mile limit.

Mr. GALLINGER. When this question was under discussion yesterday I took occasion to propound two inquiries to the Senator from West Virginia, which I find in the RECORD, and which I will read. First, I said to him:

I desire to ask my friend, the Senator from West Virginia, if it is not an entirely novel proposition that the nearer intoxicating liquors are to men the more temperate they are. Was it ever before promulgated by any individual or by any legislative body?

Next I inquired of him:

Suppose the mile limit is eliminated from the law, will it not result in bringing liquor saloons nearer to the Soldiers' Home than 1 mile, and hence is it not an extraordinary argument that the nearer we get them the more temperate men will be?

In all the history of the world there never was a cause so bad that some good man would not espouse it, and I am not at all surprised to find that as good a man as Gen. Kelton has written so absurd a letter as he has on the question of liquor selling in relation to the Soldiers' Home. In the first place, Gen. Kelton goes on to say that the law has resulted in bringing unlicensed saloons near the home; and, in the next place, that the old soldiers go down to the city, a mile away, to get a drink in place of getting a drink nearer the home, and that the drinks are so wide apart that they forget themselves and act very badly. Among other things in the letter, which to my mind are utterly ridiculous, Gen. Kelton, the governor of the Soldiers' Home, goes so far as to say, in a document which is put in print and sent out to be read by the American people, that the law has resulted in such excessive drinking on the part of the old soldiers that it has reduced the price of whisky in the District of Columbia.

Mr. President, I stand here to-day to say that in my judgment the churches of the city of Washington, the Sabbath schools of the city of Washington, the temperance people of the city of Washington, and the moral people of the city of Washington do not want the law changed in one iota. While Congress has a right to change it if it chooses, and will if a majority so vote, I sincerely hope that the Senate of the United States will not yield to this clamor and will not under a misapprehension do a thing that will bring disaster to the old soldiers instead of doing them good, as Gen. Kelton contends it will do.

The Senator from Virginia is very anxious about this matter. If the Senator from Virginia will go to his own State, to Fortress Monroe, where rum shops are up to the very door of the soldiers' home there, and look at the condition of things that exists in that soldiers' home, I think he will hardly come here and argue that we ought to break down the barriers which protect the soldiers at the Soldiers' Home at the national capital from drinking.

Mr. HUNTON. If the Senator will go down to the Soldiers' Home at Richmond, Va., he will find no such law as has existed here for the last year or two.

Mr. GALLINGER. I would probably find a worse condition of things than exists here at the present time.

Mr. HUNTON. No, sir; you will find a better one.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment of the Senator from Virginia [Mr. HUNTON].

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

Mr. MCPHERSON. Let the amendment be read.

The VICE-PRESIDENT. The amendment of the Senator from Virginia [Mr. HUNTON] will be first read.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the words:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home.

The VICE-PRESIDENT. The amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment will be read.

The CHIEF CLERK. After the word "Home," in line 6 of section 21, insert:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

Mr. SHERMAN. The doubt I have is whether that half mile is to be measured from the grounds of the Soldiers' Home or from the house in which the soldiers live.

Mr. VEST. From the grounds.

Mr. PLATT. The original act measures the mile limit from "the Soldiers' Home property."

Mr. HARRIS. It should certainly be measured from the boundary.

Mr. SHERMAN. I think it ought to be done, but as the amendment now reads a literal construction of the language would make the half mile measure from the house in which the soldiers live.

Mr. HUNTON. Oh, no.

Mr. SHERMAN. It ought to be made clear.

Mr. VEST. It is to be measured from the grounds.

Mr. PLATT. The original language is from the "Soldiers' Home property." The same language had better be used in this proposed statute.

Mr. SHERMAN. I think that should be inserted. I suggest to make it read "from the grounds of the Soldiers' Home."

Mr. HUNTON. I will state to the Senator from Ohio that the original law says "within 1 mile of the Soldiers' Home property."

Mr. SHERMAN. That is a good suggestion.

Mr. HUNTON. The amendment would, of course, embrace the Soldiers' Home property and the limit would be measured from the property of the home.

Mr. SHERMAN. I move, if in order, to add the word "property."

The VICE-PRESIDENT. Is there objection to adding the word "property"? The Secretary will read the amendment to the amendment as it is proposed to be modified.

The CHIEF CLERK. So that the amendment to the amendment would read:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

Mr. PLATT. That is right.

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

Mr. VEST. Is that the amendment of the Senator from Virginia [Mr. HUNTON]?

The VICE-PRESIDENT. The amendment of the Senator from West Virginia [Mr. FAULKNER].

Mr. GORMAN. That is the half-mile limit proposed by the Senator from West Virginia [Mr. FAULKNER]?

The VICE-PRESIDENT. It is.

Mr. HARRIS. The first question is on the amendment of the Senator from Ohio to the amendment of the Senator from West Virginia?

The VICE-PRESIDENT. That has been accepted, the Chair understands. The amendment to the amendment will be so modified in the absence of objection.

Mr. HARRIS. Then the question, of course, is on the amendment of the Senator from West Virginia.

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

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

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. I transfer that pair to the Senator from North Dakota [Mr. CASEY] and vote "nay."

Mr. DAWES (when Mr. FAULKNER'S name was called). I was requested to pair with the Senator from West Virginia [Mr. FAULKNER]. If he were present I should vote "nay." I understand that he would vote "yea."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. GORMAN (when his name was called). I am usually paired with the Senator from Maine [Mr. FRYE], but that pair has been transferred to the Senator from Kentucky [Mr. LINDSAY] for the day. I therefore vote "yea."

The roll call was concluded.

Mr. WILSON. I have a general pair with the Senator from Georgia [Mr. COLQUITT], but I am satisfied that if he were present he would vote "nay," and I therefore vote "nay."

Mr. DIXON. I have a general pair with the Senator from

Mississippi [Mr. WALTHALL]. In his absence I withhold my vote.

Mr. BLACKBURN. My colleague [Mr. LINDSAY] is paired with the Senator from Maine [Mr. FRYE].

Mr. HISCOCK. I am paired with the Senator from Arkansas [Mr. JONES].

The result was announced—yeas 28, nays 23; as follows:

YEAS—28.

Berry,	Gibson,	McMillan,	Shoup,
Blackburn,	Gorman,	Manderson,	Stewart,
Call,	Hansbrough,	Mills,	Turpie,
Cockrell,	Harris,	Paddock,	Vance,
Coke,	Higgins,	Pugh,	Vest,
Daniel,	Hill,	Ransom,	Voorhees,
Davis,	Hunton,	Sherman,	Washburn.

NAYS—23.

Allison,	Gallinger,	McPherson,	Power,
Carey,	Gordon,	Mitchell,	Proctor,
Chandler,	Hawley,	Pasco,	Teller,
Cullom,	Hoar,	Peffer,	Warren,
Dubois,	Irby,	Perkins,	Wilson.
Felton,	Kyle,	Platt,	

NOT VOTING—37.

Aldrich,	Colquitt,	Jones, Ark.	Squire,
Allen,	Dawes,	Jones, Nev.	Stanford,
Bate,	Dixon,	Lindsay,	Stockbridge,
Blodgett,	Dolph,	Morgan,	Vilas,
Brice,	Faulkner,	Morrill,	Walthall,
Butler,	Frye,	Palmer,	White,
Caffery,	George,	Pettigrew,	Wolcott.
Camden,	Gray,	Quay,	
Cameron,	Hale,	Sanders,	
Casey,	Hiscock,	Sawyer,	

So Mr. FAULKNER'S amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the amendment as amended, which will be stated.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the following:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home, which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

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

Mr. GALLINGER. I ask for the yeas and nays on the amendment.

Mr. MCPHERSON. Let the amendment be read again.

The VICE-PRESIDENT. The amendment as amended will be again read.

The Chief Clerk again read the words proposed to be stricken out.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment as amended.

Mr. GALLINGER. Before the roll is called, the inquiry has been made of me what result an adverse vote will have. I will state that, as I understand it, if the amendment is now rejected it would leave the limit, as it is under the existing law, 1 mile.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). Under the arrangement of the transfer of pairs between myself and the Senator from Vermont [Mr. PROCTOR], I vote "yea."

Mr. WARREN (when his name was called). I ask if the Senator from Georgia [Mr. GORDON] has voted?

The VICE-PRESIDENT. He is not recorded.

Mr. WARREN. I am paired with that Senator and withhold my vote.

Mr. WILSON (when his name was called). I am paired generally with the Senator from Georgia [Mr. COLQUITT], but being informed that he would vote "nay" on this proposition, I vote "nay."

The roll call was concluded.

Mr. GORMAN. Before the result is announced I ask permission to make a statement. We on this side understood the Chair to announce the question to be upon the amendment offered by the Senator from West Virginia [Mr. FAULKNER], which made a half-mile limit. The question was asked directly whether that was the case, and the answer came "yes." The fact is that the question pending now is to strike out all the words after the word "act," in line 5 of section 21, including the amendment of the Senator from West Virginia, which we have adopted, so that a "yea" vote would be against a one-mile limit and a "nay" vote would be for the half-mile limit, or for the amendment of the Senator from West Virginia. I ask that under the circumstances the question may be stated again and that we may have the roll again called. I ask the Chair to state the question.

Mr. MANDERSON. I ask the unanimous consent of the Senate that the pending roll call be held for naught, and that the question be again stated and that a new roll call be had.

Mr. HARRIS. Let the amendment be read again. It was

twice reported just before the roll call, and if Senators misunderstood it, they had no right to misunderstand it. But let the suggestion of the Senator from Nebraska be agreed to, and the roll be again called.

The VICE-PRESIDENT. The Chair will state that he is of opinion that he stated the case very clearly, but if there is any misunderstanding on the floor the request made by the Senator from Nebraska will be considered as agreed to.

Mr. HANSBROUGH. Now let the amendment be stated.

The VICE-PRESIDENT. The amendment as amended will be again stated.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the following:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home, which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

Mr. PLATT. How will it read?

Mr. HANSBROUGH. I think I can explain the matter, if the Senate will permit me. I understood the Senator from Virginia [Mr. HUNTON] to withdraw his amendment in favor of the half-mile limit, which was adopted. The motion to strike out the words "except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home," being the amendment of the Senator from Virginia [Mr. HUNTON], was withdrawn and the amendment of the Senator from West Virginia [Mr. FAULKNER] was adopted. That is my understanding.

Mr. HARRIS. Will the Senator allow me to state to him that he is totally mistaken about the fact that the Senator from Virginia [Mr. HUNTON] withdrew his amendment? The amendment of the Senator from West Virginia [Mr. FAULKNER] was in the nature of perfecting the text. That question had to be taken before the question could be taken as to striking out the limit altogether. The Senator from Virginia and myself both voted for the amendment of the Senator from West Virginia. It was agreed to on a yea-and-nay vote. Then came the question upon the amendment of the Senator from Virginia [Mr. HUNTON] to strike out the clause as amended. So a vote now in favor of the amendment of the Senator from Virginia is to strike out everything in the form of a limit—

Mr. GALLINGER. Precisely.

Mr. HARRIS. And to apply the same rule of limit to the Soldiers' Home and the surrounding country that is applied to every other part of the District of Columbia.

Mr. PLATT. I ask that the section be read as it will be if the amendment prevails.

The VICE-PRESIDENT. The section will be read as it will stand if the amendment prevails.

The Chief Clerk read as follows:

SEC. 21. That this act shall be in lieu of and as a substitute for all existing laws and regulations in the District of Columbia in relation to the sale of distilled and fermented liquors in the said District, and that all laws or parts of laws inconsistent with this act be, and they are hereby, repealed.

Mr. GALLINGER. I ask that the section be read as it would stand if the vote were adverse which has just been taken.

Mr. GORMAN. That would be with the half-mile limit.

Mr. PLATT. The motion now is to strike out certain words from the section as they have been amended.

Mr. HARRIS. That is true.

Mr. PLATT. If that amendment prevails and those words are stricken out, all present laws relating to the sale of liquor in the District of Columbia will be repealed.

Mr. HARRIS. Oh, no.

Mr. PLATT. The one-mile limit law with the other laws of the District of Columbia relating to the sale of liquor.

Mr. GORMAN. Oh, no.

Mr. HARRIS. The present law in relation to the mile limit from the Soldiers' Home grounds will be repealed.

Mr. CULLOM. I say, let the mile limit stand.

Mr. HARRIS. Yes; the mile-limit law will be repealed and the same rule will apply to the Soldiers' Home and the country surrounding the Soldiers' Home grounds that applies to the rest of the District.

Mr. PLATT. The section distinctly states that all laws now existing relating to the sale of liquor in the District of Columbia shall be repealed.

Mr. HARRIS. No; all laws in respect to a limit. Let the section be read again.

Mr. PLATT. The section distinctly states that the bill is in lieu of the present legislation in the District of Columbia upon the subject, and that all laws inconsistent with the proposed act shall be repealed.

Mr. GORMAN. Unquestionably.

Mr. VOORHEES. Allow me to ask the Senator from Tennessee a question. I understand the amendment offered by the Senator from West Virginia [Mr. FAULKNER] establishing the half-mile limit was adopted.

Mr. HARRIS. That is true.

The VICE-PRESIDENT. That is correct.

Mr. VOORHEES. I understand that it is now proposed to strike out the clause in which that amendment stands and in doing so it goes even beyond that amendment and strikes out all laws in relation to the mile limit, which would leave to my mind the subject as if it had not been legislated upon at all. I ask the Senator from Tennessee, with his great parliamentary knowledge, whether I am correct or incorrect?

Mr. HARRIS. That is precisely my understanding of the effect of an affirmative decision upon the amendment of the Senator from Virginia [Mr. HUNTON]. If his amendment is voted down, then the law is left with a limit of one-half a mile within which no saloon can be licensed or established.

Mr. GORMAN. That is right. Let the roll be called.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment of the Senator from Virginia [Mr. HUNTON] as amended.

Mr. GALLINGER. I desire to say a single word on this matter. The Committee on the District of Columbia have reported a bill that does not command my support except in one particular, and that is in the last section, which provides that the law relating to the mile limit of the Soldiers' Home shall not be repealed. All other liquor laws are repealed by the proposed statute except that one. A motion was made to amend the section. The amendment submitted was amended, and then we took a vote upon the amended amendment. I submit that if we vote that down it leaves the section standing precisely as it is in the printed bill, which is what I certainly want. So I adhere to what I stated a moment ago, that an adverse vote on this question leaves the law precisely as it is at the present time and as the Committee on the District of Columbia have recommended that it shall remain.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment of the Senator from Virginia [Mr. HUNTON] as amended.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). The Senator from North Dakota [Mr. CASEY] has come into the Chamber. I therefore renew my pair with the Senator from Delaware [Mr. GRAY] and withhold my vote.

Mr. DAWES (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay." I do not know how he would vote.

Mr. SAWYER (when his name was called). I am paired with my colleague [Mr. VILAS].

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

The roll call having been concluded, the result was announced—yeas 7, nays 44, as follows:

YEAS—7.			
Butler, Carey,	Harris, Mills,	Power, Turple,	Voorhees.
NAYS—44.			
Allison, Bate, Berry, Blackburn, Call, Casey, Chandler, Cockrell, Coke, Daniel, Davis,	Dubois, Felton, Gallinger, Gibson, Gorman, Hansbrough, Hawley, Higgins, Hill, Hoar, Irby,	Kyle, McMillan, McPherson, Manderson, Mitchell, Paddock, Pasco, Peffer, Perkins, Proctor, Pugh,	Ransom, Sherman, Shoup, Squire, Stewart, Stockbridge, Teller, Vance, Vest, Washburn, Wilson.
NOT VOTING—37.			
Aldrich, Allen, Blodgett, Brice, Caffery, Camden, Cameron, Colquitt, Cullom, Dawes,	Dixon, Dolph, Faulkner, Frye, George, Gordon, Palmer, Gray, Hale, Hiscock, Hunton,	Jones, Ark., Jones, Nev., Lindsay, Morgan, Morrill, Pettigrew, Platt, Quay, Sanders,	Sawyer, Stanford, Vilas, Walthall, Warren, White, Wolcott.

So Mr. HUNTON's amendment was rejected.

Mr. ALLISON. I ask that the section be read as it now stands.

The VICE-PRESIDENT. The section will be read as it now stands.

The Chief Clerk read as follows:

SEC. 21. That this act shall be in lieu of and as a substitute for all existing laws and regulations in the District of Columbia in relation to the sale of distilled and fermented liquors in the said District, and that all laws or parts of laws inconsistent with this act, except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home, which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property, be, and they are hereby, repealed.

Mr. PEPPER. Mr. President, I desire to offer an amendment. Am I in order?

The VICE-PRESIDENT. The Senator is in order.

Mr. PEPPER. Before doing so, perhaps the amendment will be better understood if I am permitted to make a statement.

Mr. HANSBROUGH. Let the amendment be first stated.

Mr. PEPPER. In the first place, Mr. President—

Mr. HOAR. Before we pass on the matter which has been just announced from the desk, some Senators would like to understand what the vote was which inserted in the text the half-mile limit. Some Senators understand that that was adopted as an amendment to the amendment; and if so adopted, I inquire whether the amendment to the text stands unchanged?

The VICE-PRESIDENT. The last vote was on the amendment to strike out certain language.

Mr. HOAR. That was disagreed to by what vote?

The VICE-PRESIDENT. That was disagreed to by a vote of 7 yeas to 44 nays.

Mr. HOAR. By what vote did the language "the limit is hereby reduced to one-half mile" get into the bill? Was that proposed as a separate amendment to the bill, or only as an amendment to an amendment?

Mr. HARRIS. An amendment to the text of the bill in the nature of perfecting it before the vote was taken to strike out.

Mr. HOAR. That is what I desire to find out. I was absent for a short time.

Mr. PEPPER. Before having the amendment which I desire to propose read at the desk, I ask the indulgence of the Senate for a very brief period indeed, while I state its general purport, and offer suggestions by way of general legislation, not in the nature of a speech.

Mr. HANSBROUGH. I hope the Senator will permit us to have a vote on the bill to-night. There is a special order which comes up at 5 o'clock.

Mr. PEPPER. I shall not detain the Senate more than a few minutes, if Senators will be patient with me.

Mr. GALLINGER. While I should like, myself, to be very courteous to the Senator from North Dakota, I wish to say to him that I have eight or ten amendments myself which I wish to offer, and I may wish to say a word on some of them.

The VICE-PRESIDENT. A special request has been made by the Senator from New York [Mr. HILL] that certain resolutions from the House of Representatives shall be laid before the Senate at this time.

Mr. PEPPER. I would ask, however, if I am in order, that when the bill is taken up again I shall have the floor.

Mr. STEWART. I should like to give notice that on Monday morning, in the morning hour, I shall call up the pension appropriation bill. I presume it will pass in the morning hour before we reach the regular order.

Mr. KYLE. Mr. President, I rise to a question of privilege.

The VICE-PRESIDENT. The Senator from South Dakota will state his question of privilege.

Mr. PEPPER. Will the Senator from South Dakota allow me to offer an amendment which I wish to propose and let it go over and be printed?

Mr. KYLE. Certainly.

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

Mr. KYLE. Mr. President, I wish to say for myself that my vote upon the last proposition introduced by the Senator from Virginia [Mr. HUNTON], was upon the opposite side from what I intended it to be. In the discussion which took place here, I understood that the amendment offered by the Senator from West Virginia [Mr. FAULKNER], was an amendment to the proposition offered by the Senator from Virginia, and that it was not in the way of perfecting the text. Therefore my vote should have been "yea" instead of "nay" upon the last proposition.

EULOGIES ON THE LATE REPRESENTATIVE SPINOLA.

Mr. HILL. I now ask that the resolutions from the House of Representatives relative to the death of the late Francis B. Spinola may be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives; which will be read.

The Chief Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the Hon. Francis B. Spinola, late a Representative from the State of New York.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. HILL. I offer the resolutions, which I send to the desk.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Francis B. Spinola, late a Representative from the State of New York.

Resolved, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

Resolved, That in the death of Gen. Spinola the country has lost a gallant soldier, an able and faithful Representative in Congress, and an esteemed and patriotic citizen.

Mr. HILL. Mr. President, the resolutions passed by the other House during the last session of the present Congress duly informed us of the death of Francis B. Spinola, of New York, an honored Representative of that body. The delay in taking action thereon in the Senate has been occasioned solely by a misapprehension as to whose province it was to call up the resolutions and institute further action. The death of Gen. Spinola occurred before I took my seat in this Chamber, and he having been of my own political faith my colleague kindly and courteously waited for me to take the initiative in the proceedings to appropriately pay tribute to the memory of the deceased.

The elaborate eulogies upon the character and public services of this distinguished citizen in the other House, which have already been placed upon the records of Congress, render my task a brief one. His immediate associates, with whom he had served in Congress so long and acceptably, have in their able and interesting addresses described the incidents of his early life, the details of his successful business career, his political achievements, the laurels which he won as a soldier, his abilities as a debater, and his many excellent qualities of mind and heart. Not caring to repeat what they have so fully delineated, I content myself with a bare reference to the positions which he filled and honored, the triumphs which he secured, and the general characteristics of the man.

Permit me to remark that few men in Congress have been more frequently or highly honored. He enjoyed a long, varied, and brilliant public career, evidencing the full confidence of his fellow-citizens, and the general satisfaction with which he discharged every public trust. He was alderman, supervisor, several times an assemblyman in New York, State senator, brigadier-general of volunteers, and three times elected to Congress. His rise was not sudden. He did not jump from obscurity into exalted position, unprepared for the discharge of great duties. No freak of fortune or of politics brought him to the front; but he was a plodder, a worker, a faithful, industrious, and energetic citizen, and largely the architect of his own deserved success.

He was a partisan in the best sense of the term. He believed in his side. He regarded party organization as essential to permanent political success, and he never despised the ladder which had repeatedly elevated him to power. He was also a patriot and a soldier. He was a fighter by nature and taste; he loved strife. He was quick to resent a wrong, and always ready to forgive. He was impulsive, clear-headed, brave, and generous.

He was not only true to his country—he was true to his party and to his friends. He believed in personal friendships in public life, and he hated his "enemies, persecutors, and slanderers."

Competent military men and critics believe that had the right opportunity occurred, he would have shown himself to be one of the great soldiers of the times. The records of his gallantry are found in the archives of the nation, and in the general orders and reports of his superior officers.

He was audacious, courageous, and firm, and was apparently "born to command." He loved his soldiers, and they in turn loved him.

His record in Congress was most creditable. He was a ready debater, quick at repartee, full of sarcasm, and had a keen appreciation of the humorous. It is safe to say that in Congress he was able, alert, patriotic, and zealous in the performance of his high and responsible duties. His friends believed in him—loved, honored, and respected him.

I knew him as a leading citizen of New York, as a prominent and trusted business man. I knew him as an eminent member of the Legislature. I knew him to be a true friend.

Columns of eulogy are not needed to show our appreciation of his public and private services, or to evidence the loss we have sustained in his departure. He has fought the good fight and gone to his reward. A good man has fallen, and the people mourn. More brilliant, more able, more renowned men have adorned seats in the Congress of the nation; but none more patriotic, none more sincere, none more trustworthy than Francis B. Spinola.

Mr. HISCOCK. Mr. President, Gen. Spinola was a marked character in the State of New York where he was born and lived all his life, the State he represented in the other branch of Con-

gress at the time of his death. Entering public life at the age of 22 years he was continuously, until the time of his death, about fifty years later, before the people of his State representing a constituency either in the city of his residence at the State capital in Albany or in the Congress of the United States.

It is rarely that a member of a political party maintains the hold he did upon his party organization and the people of the community amongst whom he lived for so long a period of time. That is especially true of public men in the State of New York. He never aspired to be the absolute leader of his party. Those men fell or were displaced by others, but Gen. Spinola, in all the changes which took place, held a prominent position and possessed the confidence of his friends and constituents.

Sir, while this was true of him, he was a man of strong convictions and positive opinions and expressed them in language that was neither uncertain nor equivocal.

Gen. Spinola maintained his mental vigor to the last, and doubtless the hold which he retained upon his party was due largely to that fact. Never since I had the honor to know him has there been a time when he was not a trusted counselor in the political organizations of his party.

His life was mainly devoted to politics and to political matters, yet he was not a careful builder of political fortunes, and the position which he held so long was not due especially to his adroitness or manipulations, but his success was rather the result of his bold, audacious championship and the absolute confidence in his integrity entertained by his friends and concurred in by his opponents.

He was the survivor of a generation of leaders of the Democratic party in New York—great men—who held a marked place in national and State councils; and I sometimes think that with their death and with the death of men like Gen. Spinola—the last survivor whom I now recall of that class of men in the State of New York—the country has lost largely, because there has been a loss of their methods and that high integrity in political management which they dictated.

Gen. Spinola scarcely attained a great national reputation; and that is true of very many able and influential citizens of New York in public life then, who content themselves with the honors and positions which are bestowed by their friends and their party in their own State rather than seek national reputation or position. He, however, was possessed of such ability that, had he earlier in life sought a position in the national Congress or in connection with the National Government, he could have sustained himself as ably there as he did in the Legislature of his own State or in the other positions with which he was honored at home.

Mr. President, I move the adoption of the resolutions submitted by my colleague.

The VICE-PRESIDENT. The question is on the adoption of the resolutions.

The resolutions were unanimously agreed to.

Mr. HISCOCK. I offer, Mr. President, the resolution which I send to the desk.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, as follows:

Resolved, That as an additional mark of respect to the memory of the deceased, the Senate do now adjourn.

The VICE-PRESIDENT. The question is on the adoption of the resolution.

The resolution was agreed to; and thereupon (at 5 o'clock and 23 minutes p. m.) the Senate adjourned until Monday, February 27, 1893, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 25, 1893.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MELBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

M. E. LANGSTON AND WILLIAM THIXTON VS. THE UNITED STATES.

The SPEAKER laid before the House a copy of the findings of the Court of Claims in the case of M. E. Langston and William Thixton, deceased, vs. The United States; which was referred to the Committee on War Claims, and ordered to be printed.

BRIDGE ACROSS THE CALUMET, ILLINOIS.

The SPEAKER also laid before the House bill (S. 3871) to authorize the construction of a bridge across the Calumet River. Mr. TAYLOR of Illinois. Mr. Speaker, this is a bridge bill, and I ask for its present consideration.

The Clerk proceeded to read the bill.

Mr. TAYLOR of Illinois. Mr. Speaker, this is a bridge bill, in the regular form, with all the usual restrictions and safeguards, and I think it is unnecessary to read it through. I therefore ask unanimous consent that the further reading of the bill be dispensed with.

There was no objection.

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

Mr. TAYLOR of Illinois moved to reconsider the vote by which the bill was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE OVER THE MONONGAHELA, GLENWOOD, PA.

The SPEAKER also laid before the House a bill (S. 3878) authorizing the construction of a bridge over the Monongahela River at Glenwood, Twenty-third ward, city of Pittsburgh, in the State of Pennsylvania; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

BONNERS FERRY, IDAHO.

The SPEAKER also laid before the House a bill (S. 3814) to establish a port of delivery at Bonners Ferry, Idaho; which was read twice, referred to the Committee on Interstate Commerce, and ordered to be printed.

REAR-ADMIRAL S. B. LUCE.

The SPEAKER also laid before the House a joint resolution (S. R. 158) authorizing Rear-Admiral S. B. Luce, retired, to accept a medal from the Government of Spain; which was read twice, referred to the Committee on Naval Affairs, and ordered to be printed.

SEATON NORMAN.

Mr. BROWN of Indiana. I ask unanimous consent for the present consideration of the bill (S. 2772) for the relief of Seaton Norman.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read, as follows:

Be it enacted, etc., That the laws regulating appointments in the Marine Hospital Service be, and they are hereby, suspended only for the purposes of this act; and the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint Seaton Norman an assistant surgeon in the Marine Hospital Service, that being the rank held by him on the 1st day of July, 1890, when he resigned his position under a misapprehension of his rights in the premises.

The SPEAKER. Is there objection to the request of the gentleman from Indiana for the present consideration of this bill?

Mr. HOOKER of New York. I object.

Mr. BROWN of Indiana. Mr. Speaker, before the gentleman insists upon his objection I would be glad if the chairman of the committee reporting this bill would explain it. There really can be no valid objection made to the bill, and I appeal to my friend to withdraw his objection or to state the ground of it.

Mr. HOOKER of New York. I have no objection to the gentleman making a statement.

Mr. BROWN of Indiana. Mr. Speaker, the chairman of the committee reporting the bill is not present, but I will state the facts. Dr. Norman was called upon to undergo an examination for promotion and fell a mere fraction below the necessary standard, and thereupon he was requested to resign. Supposing that he was compelled to resign, he did so. The report sets forth the facts of the case quite fully, and I ask that it be read.

The SPEAKER. The report is quite long.

Mr. BROWN of Indiana. Well, Mr. Speaker, I ask that the first part of the report be read, which explains the case.

Mr. HOOKER of New York. I withdraw my objection, Mr. Speaker.

Mr. DINGLEY. Mr. Speaker, I reserve the right to object until I can hear an explanation.

The report, which was read in part, is as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 2772) "for the relief of Seaton Norman," report the same back without amendment and with the recommendation that the bill do pass.

This bill is identical with H. R. 7957, now on the Private Calendar of the House (its Calendar number being 983), upon which this committee made a strongly favorable report. Your committee reaffirms that report (No. 1619) and makes it a part of this report.

And your committee further recommend that H. R. 7957 be taken from said Private Calendar and do lie on the table.

[House Report No. 1619, Fifty-second Congress, first session.]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 7957) for the relief of Seaton Norman, have had the same under consideration and report it back without amendment and with the recommendation that the bill do pass.

Seaton Norman was an assistant surgeon in the United States Marine Hospital Service, and "in a particularly difficult examination" for promotion "was within a fraction of making the required grade" (the required grade being 80 and he obtained 79.25). Under these circumstances, the Assistant Secretary of the Treasury, on January 14, 1890, addressed him a letter asking for his resignation as assistant surgeon in the service already named,