

Stewart, Richmond, Va.; Rev. M. F. Beals, secretary Georgia Epworth League; Rev. A. Kirkpatrick, Prosperity, S. C.; Rev. H. W. Williams, Elberton, Ga., and Rev. J. A. Cargile, superintendent missions, Chattanooga, Tenn., in favor of the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMPKINS of Massachusetts: Resolution of the Boston Boot and Shoe Club, in support of currency reform based on the gold standard—to the Committee on Banking and Currency.

By Mr. SMITH of Kentucky: Papers to accompany House bill No. 4896, for the correction of the record of James Braden—to the Committee on Military Affairs.

By Mr. SNOVER: Resolution of the Grand Rapids (Mich.) Board of Trade, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SPALDING: Petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens praying for the enactment of legislation prohibiting kinetoscope reproduction of prize fights in the District of Columbia and the Territories—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and other citizens praying for the enactment of legislation prohibiting the interstate transmission of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Petition of citizens of Clay County, Tex., requesting Congress to ratify the treaty between the United States and the Comanche and Kiowa Indians and to open said reservation for settlement—to the Committee on the Public Lands.

By Mr. STEWART of Wisconsin: Resolutions of the Wisconsin State Federation of Labor, the central bodies of Wisconsin, and the local unions of Racine, Wis., in favor of the eight-hour bill and others now pending—to the Committee on Labor.

Also, resolutions of the city of Manitowoc, Wis., relative to the establishment of mail service by car-ferry line between Manitowoc, Wis., and Ludington, Wis.—to the Committee on the Post-Office and Post-Roads.

By Mr. STARK: Papers to accompany House bill No. 5802, granting an increase of pension to John G. Ohngemach, of Friend, Nebr.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 7383, granting an increase of pension to George C. Maxfield, of Fairmont, Fillmore County, Nebr.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 7312, granting an increase of pension to George W. Plonts, of Geneva, Nebr.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 8136, granting an increase of pension to David Talmon, of Wymore, Gage County, Nebr.—to the Committee on Invalid Pensions.

Also, petition of W. H. Jennings and 11 other citizens of Davenport, Nebr., for the passage of House bill No. 6705 and Senate bill No. 3027, in relation to mixing corn meal with wheat flour—to the Committee on Ways and Means.

By Mr. CHARLES W. STONE: Petition of citizens of Barkeyville and Wesley, Venango County, Pa., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of 1,945 citizens of Oil City, Pa., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. STURTEVANT: Petition of the Woman's Christian Temperance Union and Young People's Society of Cochran, Pa., in favor of legislation to protect State anti-cigarette laws by

providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Petition of citizens of Ruskin, Deshler, and vicinity, State of Nebraska, in favor of the passage of a pure-flour bill—to the Committee on the Judiciary.

By Mr. TAWNEY: Petition of the Baptist Church of Leroy, Minn., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. TERRY: Resolution of the executive committee of the Arkansas State Board of Trade, for an appropriation for the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

By Mr. VINCENT: Petition of the session of the First Presbyterian Church of Manhattan, Kans., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON: Memorial of W. H. Ellerbe and others, for the erection of a monument to Sumter, Marion, and Pickens at Columbia, S. C.—to the Committee on the Library.

By Mr. WHEELER of Alabama: Petition of the Commercial Club of Birmingham, Ala., for fast mails—to the Committee on the Post-Office and Post-Roads.

SENATE.

MONDAY, March 14, 1898.

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Thou who hearest the sob of the sorrowful and the cry of all that are in distress, we come before Thee with a sense of bereavement in the departure from among us of an honored comrade in the service of the Senate. Modest, quiet, self-effacing, diligent in business, and through long years of toil building up mastery in his craft, gladly rendering the assistance of his knowledge for the help and service of his associates, and most earnest and faithful in all his labors, he leaves to us a memory fragrant of use, of generosity, and kindness.

Let Thy Heavenly benediction rest upon his venerable mother, smitten by this great blow. Comfort her heart, and grant her the sense, so near and priceless, of the life beyond this life, a life of light and joy and peace. And may this benediction likewise come to the hearts of his brothers and of all connected with and related to him, and likewise to us. And in these solemn reminders of our mortality and the nearness of the end of earth, may we pursue our way humbly, devoutly, reverently, fearing God and serving our neighbor, that when we pass hence it may be with the assurance of resurrection and eternal life. Through Jesus Christ, our Saviour. Amen.

Mr. MITCHELL. Mr. President, our Chaplain has alluded very properly and feelingly to the death of our Journal Clerk, Mr. William E. Spencer. I ask that the prayer be printed in the RECORD of to-day's proceedings.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Wisconsin? The Chair hears none, and the order is made.

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

STAR-ROUTE CONTRACTS.

The VICE-PRESIDENT laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 25th ultimo, certain information relative to the aggregate amount of money expended during the last calendar year for carrying the mails by use of horses or other animals over what are commonly known as "star routes," etc.; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

REPORT OF THE COMMISSIONER OF PATENTS.

The VICE-PRESIDENT laid before the Senate the annual report of the Commissioner of Patents for the calendar year ended December 31, 1897; which was referred to the Committee on Patents, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the third national convention of the American Anti-Saloon League, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol, the Congressional Library building,

and all other Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the third national convention of the American Anti-Saloon League, praying for the enactment of legislation to prevent the granting of licenses or the collection of a revenue tax in all places where the granting of a license by the local authorities is prohibited; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the third national convention of the American National Anti-Saloon League, praying for the enactment of legislation to prohibit the sale of intoxicating liquors on Indian reservations; which was referred to the Committee on Indian Affairs.

Mr. MITCHELL presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of the Woman's Christian Temperance Union of Mukwonago, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the passage of Senate bill No. 3354, to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Coopers' International Union, of Green Bay; of Marshfield Union, No. 82, Amalgamated Woodworkers' Union, of Marshfield, and of the Wisconsin State Federation of Labor, the Confederated Trades and Building Trades of Milwaukee, and the local unions of the city of Milwaukee, all in the State of Wisconsin, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

Mr. HARRIS presented a petition of Parsons Division, No. 161, Order of Railway Conductors, of Parsons, Kans., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. ALLEN presented a petition of Lodge No. 123, Brotherhood of Locomotive Firemen, of Omaha, Nebr., and a petition of Lodge No. 373, Brotherhood of Locomotive Firemen, of Fairbury, Nebr., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a statement to accompany the bill (S. 760) for the relief of the legal representatives of John Boyle, deceased; which was referred to the Committee on Claims.

Mr. MILLS presented a petition of sundry citizens of Texas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Texas, praying for the appointment of a commission to investigate the labor problem; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Texas, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Texas, praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the interstate transportation of materials of the same; which was ordered to lie on the table.

Mr. TURPIE presented a petition of Honey Creek Grange, No. 1, Patrons of Husbandry, of Terre Haute, Ind., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Union No. 47, Brotherhood of Painters and Decorators, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Indianapolis, Ind., and a petition of the directors of the Commercial Club of Evansville, Ind., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which were referred to the Committee on Manufactures.

He also presented a petition of the Board of Trade of Indianapolis, Ind., and a petition of the Commercial Club of Indianapolis, Ind., praying that an appropriation be made for the Philadelphia Exposition of American Manufactures; which were ordered to lie on the table.

He also presented a memorial of the Board of Trade of Indianapolis, Ind., and a memorial of the Commercial Club of Indianapolis, Ind., remonstrating against the enactment of a civil-service law as applied to letter carriers; which were referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of Local Union No. 42, United Mine Workers of America, of Clinton, Ind., and a petition of Clark Lodge, No. 297, Brotherhood of Locomotive Firemen, of Jeffersonville, Ind., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented memorials of Journeymen Tailors' Union No. 157, Journeymen Tailors' Protective Association, of Indianapolis; of Typographical Union No. 1, of Indianapolis; of Upholsterers' Union No. 25, of Indianapolis, and of Journeymen Plumbers' Union No. 73, of Indianapolis, all in the State of Indiana, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PASCO presented a petition of Carpenters' Union No. 696, of Tampa, Fla., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, the bill for the relief of American seamen, and the bill to regulate immigration; which was referred to the Committee on Education and Labor.

He also presented petitions of Lake City Lodge, No. 54, Knights of Pythias, of Lake City; of Evening Star Lodge, No. 46, Knights of Pythias, of West Palm Beach; of Mount Vernon Lodge, No. 20, Knights of Pythias, of Gainesville, and of De Soto Lodge, No. 26, Knights of Pythias, of Arcadia, all in the State of Florida, praying for the enactment of legislation to secure from the Government a lease right, with hot-water privileges, to a piece of ground on the United States reservation at Hot Springs, Ark., for the purpose of establishing a national Pythian sanitarium; which were referred to the Committee on Public Lands.

Mr. BATE presented a petition of the Woman's Christian Temperance Union of Nashville, Tenn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Nashville, Tenn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Nashville, Tenn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Nashville, Tenn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. GEAR presented a petition of the board of directors of the

Chamber of Commerce of Milwaukee, Wis., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Climax Lodge, No. 254, Brotherhood of Locomotive Firemen, of Missouri Valley, Iowa, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented petitions of the Keokuk Post, Grand Army of the Republic, Department of Iowa; of Valley City Division, No. 58, Order of Railway Conductors, of Cedar Rapids, and of Perry Division, No. 84, Order of Railway Conductors, of Perry, all in the State of Iowa, praying for the passage of the so-called anti-scalping ticket bill; which were referred to the Committee on Interstate Commerce.

Mr. McMILLAN presented petitions of the Board of Trade of Grand Rapids, of Lodge No. 129, Order of Locomotive Firemen of Escanaba, and of Oatley Lodge, No. 102, Order of Railway Conductors, of Grand Rapids, all in the State of Michigan, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of 550 citizens of Cass City; of the Woman's Christian Temperance Union of Munith; of Rev. S. W. Johnson, of Lisbon; of the Christian Endeavor Society and of the congregation of the Methodist Episcopal Church of Lisbon; of the Woman's Christian Temperance Union of Lisbon; of sundry citizens of St. Louis; of the Good Citizenship League of Adrian, and of the Woman's Christian Temperance Union of Ann Arbor, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Good Citizenship League of Adrian, Mich., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and a petition of the Sabbath Morning Congregation of the Gunton Temple Memorial Presbyterian Church, of the city of Washington, praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of Local Union No. 33, American Federation of Musicians, of Port Huron, Mich., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented a petition of the Good Citizenship League of Adrian, Mich., and a petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., praying for the enactment of legislation to prohibit the kinetoscope reproduction of pugilistic encounters in the District of Columbia and the Territories and the interstate transmission of materials for the same; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., and a petition of the Good Citizenship League of Adrian, Mich., praying for the enactment of legislation to prohibit the interstate and mail circulation of extended newspaper descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Good Citizenship League of Adrian, Mich., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Ann Arbor, Mich., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. FAIRBANKS presented the petition of E. E. Powell and 24 other citizens of Madison, Ind., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of Elkhart Division, No. 19, Order of Railway Conductors, of Elkhart, Ind., and a petition of Indianapolis Division, No. 103, Order of Railway Conductors, of Indianapolis, Ind., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of Unity Lodge, No. 7, Amalgamated Association of Iron Workers, of Unity, Ind., and a petition of Lodge No. 25, Amalgamated Association of Iron Workers of Alexandria, Ind., praying for the passage of the so-called anti-injunction bill and the bill for the relief of American seamen; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented petitions of the congregation of the Methodist Episcopal Church of Wyandotte, of the Woman's Christian Temperance Union of Wyandotte, and of the Woman's Christian Temperance Union of Sparta, all in the State of Michigan, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Coldwater, Mich., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. VEST presented a petition of the Young People's Society of Christian Endeavor of Bolivar, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Austin, Mo., and a petition of the Young People's Society of Christian Endeavor of Bolivar, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws.

Mr. LODGE. I present a memorial of the Civil Service Reform Association of New York, remonstrating against any change being made in the act of January 16, 1883, to regulate and improve the civil service of the United States. The memorial is a very brief one, and I ask that it be printed as a document.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Massachusetts? The Chair hears none, and the order is made. The memorial will be referred to the Committee on Civil Service and Retrenchment.

Mr. LODGE presented a petition of the Boston Boot and Shoe Club, of Boston, Mass., praying Congress to give consideration to such measures of reform as it shall in its wisdom regard as practical and sound and as bringing together the several propositions aiming at the one end of consummation of the existing standard and the establishment of sound currency; which was referred to the Committee on Finance.

He also presented a memorial of the Hoisting and Portable Engineers' Union of Boston, Mass., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 120, of Lynn, Mass., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented a petition of Iron Molders' Union No. 295, of Florence, Mass., praying for the enactment of legislation to protect free labor and the industries in which it is employed from the injurious effect of convict competition by confining the sale of goods, wares, and merchandise manufactured by convict labor to the State or Territory in which they are produced; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of West Peabody, Mass., and a petition of the Young Men's Christian Association of Holyoke, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of West Peabody, Mass., and a petition of the Young Men's Christian Association of Holyoke, Mass., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Young Men's Christian Association of Holyoke, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of West Peabody, Mass., and a petition of the Young Men's Christian Association of Holyoke, Mass., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. TELLER presented a petition of Arkansas Valley Division, No. 36, Order of Railway Conductors, of Pueblo, Colo., praying

for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the principal and school board of Eaton, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union, the Woman's Club, and the congregation of the Congregational Church, all of Eaton, in the State of Colorado, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Twentieth Century Club, the Epworth League, the Woman's Christian Temperance Union, the congregation of the Congregational Church, of sundry citizens, and of the congregation of the Methodist Episcopal Church, all of Grand Junction, in the State of Colorado, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of Connecticut presented a petition of the congregation of the First Congregational Church, of Plymouth, Conn., and a petition of the Young People's Society of Christian Endeavor of the First Congregational Church, of Griswold, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Congregational Church, of Plymouth, Conn., and a petition of the Young People's Society of Christian Endeavor of the First Congregational Church, of Griswold, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the First Congregational Church, of Plymouth, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. HAWLEY presented a petition of the congregation of the Methodist Episcopal Church of South Manchester, Conn., and a petition of the Woman's Christian Temperance Union of the Center Congregational Church, of South Manchester, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of South Manchester, of the congregation of the Broadway Congregational Church, of Norwich, and of the Woman's Christian Temperance Union of the Center Congregational Church, of South Manchester, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of the Center Congregational Church, of South Manchester, Conn., and a petition of sundry teachers and citizens of South Manchester, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church of South Manchester, Conn., and a petition of the Woman's Christian Temperance Union of the Center Congregational Church of South Manchester, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. FRYE presented the memorial of Oliver M. Consens, of Dexter, Me., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Sidney, of the Woman's Christian Temperance Union of China, of the Woman's Christian Temperance Union of Bridgewater, of the Woman's Christian Temperance Union of Stillwater, of the Woman's Christian Temperance Union of Camden, of the Woman's Christian Temperance Union of Union, of the congregation of the Methodist Church of Union, of the Woman's Christian Temperance Union of Peaks Island, and of the congregation of the Methodist Episcopal Church of Vassalboro, all in the State of Maine, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become

subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Sidney, Bridgewater, Stillwater, Camden, Union, and China; of the congregation of the Methodist Church of China, and of the congregation of the Methodist Church of Vassalboro, all in the State of Maine, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Sidney, Bridgewater, Stillwater, Camden, Union, and China; of the congregation of the Methodist Church of China, and of the congregation of the Methodist Church of Vassalboro, all in the State of Maine, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Sidney, Bridgewater, Stillwater, Camden, Union, and China; of the congregation of the Methodist Church of China, and of the congregation of the Methodist Church of Vassalboro, all in the State of Maine, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. BACON presented a petition of the mayor and city council of Brunswick, Ga., praying that adequate coast defenses be given to that city; which was referred to the Committee on Coast Defenses.

Mr. McBRIDE presented petitions of the congregations of the United Brethren Church, the Riverside Congregational Church, and the Methodist Episcopal Church, all of Hood River, in the State of Oregon, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. BERRY presented a petition of sundry citizens of Hope, Ark., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. MANTLE presented a petition of Division No. 191, Order of Railway Conductors, of Glendive, Mont., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the congregation of the Methodist Episcopal Church of Livingston, of the Woman's Christian Temperance Union of Livingston, and of the members of the Salvation Army of Livingston, all in the State of Montana, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. QUAY presented a petition of the Library Club of Western Pennsylvania, praying for the enactment of legislation regulating the printing and distribution of public documents; which was referred to the Committee on Printing.

He also presented a petition of 3,054 citizens of Venango County, Pa., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of 3,113 citizens of Venango County, Pa., and a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to prohibit kinetoscope reproductions of prize fights in the District of Columbia and the Territories and the interstate transmission of materials of the same; which were ordered to lie on the table.

He also presented a petition of 3,113 citizens of Venango County, Pa., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Blair County Woman's Christian Temperance Union, of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union and the Young People's Society of Christian Endeavor of Cochranton; of the Woman's Christian Temperance Union of Cambridge Springs; of the congregation of the Methodist Episcopal Church of Townville; of Grange No. 871, Patrons of Husbandry, of Rundells, and of the congregations of the churches of Linesville, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. SEWELL (for Mr. SMITH) presented petitions of the Woman's Christian Temperance unions of Elizabeth, Chatham, Pompton, Hackensack, Ellisdale, and East Orange; of the congregation of the Bergen Point Baptist Church, of Bayonne; of the congregation of the West Side Avenue Methodist Episcopal Church, of Jersey City; of the congregation of the Methodist Episcopal Church of Paterson, and of the congregation of the Prospect Street Methodist Church, of Paterson, all in the State of New Jersey, and of the congregation of the Methodist Episcopal Church of the city of Washington, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also (for Mr. SMITH) presented petitions of the Woman's Christian Temperance unions of Elizabeth, Pompton, Hackensack, East Orange, and Ellisdale; of the congregation of the Methodist Episcopal Church of Paterson; of the Epworth League of Chatham; of the congregation of the West Side Methodist Episcopal Church, of Jersey City, and of the congregation of the Baptist Church of Bergen Point, all in the State of New Jersey, and of the congregation of the Methodist Episcopal Church of the city of Washington, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also (for Mr. SMITH) presented petitions of the Woman's Christian Temperance unions of Elizabeth, Pompton, Chatham, East Orange, and Ellisdale; of the Epworth League of Chatham; of the congregations of the First Baptist Church, of Westfield, the First Baptist Church, of Vineland, the Methodist Episcopal Church and the First Baptist Church, of Rockaway, the Congregational Church of Christ, of Westfield, the Bergen Point Baptist Church, of Bayonne, and the Methodist Episcopal Church of Paterson; of the Evangelical Alliance of Paterson; of the Christian Endeavor Union of Jersey City; of the Young People's Society of Christian Endeavor of Westfield, and of the Woman's Christian Temperance Union of Westfield, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also (for Mr. SMITH) presented sundry petitions of citizens of Orange, East Orange, Irvington, Rockaway, and Andover, all in the State of New Jersey, praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also (for Mr. SMITH) presented petitions of the Woman's Christian Temperance unions of Elizabeth, East Orange, Hackensack, Washington, and Pompton; of the congregation of the Baptist Church of Bayonne; of the congregation of the First Baptist Church, of Vineland; of the congregation of the West Side Methodist Episcopal Church, of Jersey City; of the Epworth League of Chatham, and of the Woman's Christian Temperance Union of Millville, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the First Methodist Episcopal Church of Ocean City; of the Piles Grove Monthly Meeting of Friends, of Mullica Hill; of the congregation of the Methodist Episcopal Church of Wenonah; of the Christian Endeavor Society of the First Presbyterian Church of Moorestown, and of the Woman's Christian Temperance Union of Wenonah, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Vineland; of the Christian Endeavor Society of the First Presbyterian Church of Moorestown; of the Piles Grove Monthly Meeting of Friends, of Mullica Hill, and of the Epworth League of Wenonah, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Vineland, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors within 200 feet of any church, school, or charitable institution; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the First Presbyterian Church of Wenonah, N. J., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the Woman's Christian Temperance Union of Vineland; of the Woman's Christian Temperance Union of Bridgeton; of the Christian Endeavor Society of the First Presbyterian Church of Moorestown; of the Piles Grove Monthly Meeting of Friends, of Mullica Hill; of the congregation of the First Methodist Episcopal Church of Ocean City; of the congregation of the Methodist Episcopal Church of Wenonah; and of the congregation of the First Presbyterian Church of Wenonah, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Wenonah; of the Woman's Christian Temperance Union of Mullica Hill; of the congregation of the First Methodist Episcopal Church of Ocean City, and of the congregation of the Methodist Episcopal Church of Wenonah, all in the State of New Jersey, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the enactment of legislation to provide for the enrollment and organization of all naval reserve forces; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the completion and control of the Nicaragua Canal by the Government; which was referred to the Select Committee on the Construction of the Nicaragua Canal.

He also presented a petition of the Board of Trade of Asbury Park, N. J., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Newark, N. J., praying for the enactment of legislation to prevent frauds upon travelers by restricting the sale of railroad tickets to the authorized ticket agents of the various transportation lines of the United States; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Board of Trade of Newark, N. J., remonstrating against the proposed consolidation of the Newark customs district with that of New York; which was referred to the Committee on Finance.

Mr. CULLOM presented a petition of Grange No. 584, Patrons of Husbandry, of Waltham, Ill., praying for the establishment of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Dunlap Grange, No. 919, Patrons of Husbandry, of Dunlap, Ill.; of Honey Creek Grange, No. 1, Patrons of Husbandry, of Terre Haute, Ind., and of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Jacksonville, Ill., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of the congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of

legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Third United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the interstate transmission of materials for the same; which was ordered to lie on the table.

He also presented a petition of the Third United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Third United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the appointment of a commission to investigate the labor problem; which was referred to the Committee on Education and Labor.

He also presented a petition of the United Presbyterian congregation of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented petitions of Blue Island Lodge, No. 531, Brotherhood of Railway Trainmen, of Blue Island; of Henwood Lodge, No. 74, Order of Railway Conductors, of Decatur; of N. A. Reed, of Chicago; of Rev. J. E. Garvin, pastor of the Cumberland Presbyterian Church, of Taylorville; of the Armour Mission, of Chicago; of Rev. J. P. Schnure, pastor of the Evangelical Lutheran Church, of Lancaster; of Rev. W. R. Linnett, pastor of the First Christian Church, of East St. Louis; of the pastors of the Methodist Episcopal churches of Streator; of the pastors of the Baptist churches of Morris; of the congregation of the Zion Church, of Ottawa; of the congregations of the Cumberland Presbyterian Church and of the Congregational Church of Payson, all in the State of Illinois; of the Grand Army of the Republic, Department of Iowa, and of the Grand Army of the Republic, Department of New York, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of sundry colored citizens of Chicago, Ill., praying that prompt and effective action be brought against the murderers of the postmaster at Lake City, S. C.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Iron Molders' Union No. 44, of Quincy, Ill., and a petition of Iron Molders' Union No. 230, of Rock Island, Ill., praying for the enactment of legislation to protect free labor and the industries in which it is employed from the injurious effect of convict competition by confining the sale of goods, wares, and merchandise manufactured by convict labor to the State or Territory in which they are produced; which were referred to the Committee on Education and Labor.

He also presented a petition of Watch Workers' Union No. 6961, American Federation of Labor, of Elgin, Ill., praying for the passage of the so-called anti-injunction bill and the bill for the relief of American seamen; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 646, United Mine Workers of America, of Taylorsville, Ill., and a petition of Local Union No. 41, Coopers' International Union, of Alton, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented a petition of the Fortieth general assembly of the legislature of the State of Illinois, praying for the passage of

the bill appropriating \$500,000 for the purpose of erecting a monument in the city of Washington to the martyred President, Abraham Lincoln; which was referred to the Committee on the Library.

He also presented petitions of Dunlap Grange, No. 919, Patrons of Husbandry; of Rubicon Grange, No. 1530, Patrons of Husbandry; of Tonica Grange, No. 213, Patrons of Husbandry; of Hickory Grove Grange, No. 632, Patrons of Husbandry; of Bone Gap Grange, No. 803, Patrons of Husbandry; of Salem Grange, No. 1483, Patrons of Husbandry; of Roberts Grange, No. 1717, Patrons of Husbandry; of Union Star Grange, No. 1010, Patrons of Husbandry; of Walnut Grange, No. 1653, Patrons of Husbandry; of Pierceville Grange, No. 404, Patrons of Husbandry; of Spring Grange, No. 540, Patrons of Husbandry; of McClusky Grange, No. 1712, Patrons of Husbandry; of Cross Roads Grange, No. 1715, Patrons of Husbandry; of Pomona Grange, No. 203, Patrons of Husbandry; of Cortland Grange, No. 1695, Patrons of Husbandry; of Lebanon Grange, No. 348, Patrons of Husbandry; of Barry Grange, No. 194, Patrons of Husbandry; of Galva Grange, No. 1591, Patrons of Husbandry; of Evans Grange, No. 35, Patrons of Husbandry; of Farmers' Grange, No. 633, Patrons of Husbandry, and of Oblong Grange, No. 1008, Patrons of Husbandry, all in the State of Illinois, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Union Star Grange, No. 1010, Patrons of Husbandry; of Roberts Grange, No. 1717, Patrons of Husbandry; of Salem Grange, No. 1483, Patrons of Husbandry; of Bone Gap Grange, No. 803, Patrons of Husbandry; of Hickory Grange, No. 632, Patrons of Husbandry; of Spring Grange, No. 540, Patrons of Husbandry; of Oblong Grange, No. 1008, Patrons of Husbandry; of Farmers' Grange, No. 633, Patrons of Husbandry; of Turkey Hill Grange, No. 1370, Patrons of Husbandry; of Dunlap Grange, No. 919, Patrons of Husbandry; of Rubicon Grange, No. 1513, Patrons of Husbandry; of Tonica Grange, No. 213, Patrons of Husbandry; of Walnut Grange, No. 1653, Patrons of Husbandry; of Pierceville Grange, No. 404, Patrons of Husbandry; of Cross Roads Grange, No. 1715, Patrons of Husbandry; of Pomona Grange, No. 203, Patrons of Husbandry; of Cortland Grange, No. 1695, Patrons of Husbandry; of Barry Grange, No. 194, Patrons of Husbandry; of Lebanon Grange, No. 348, Patrons of Husbandry; of McClusky Grange, No. 1712, Patrons of Husbandry; of Galva Grange, No. 1591, Patrons of Husbandry, and of Evans Grange, No. 35, Patrons of Husbandry, all in the State of Illinois, praying for the enactment of legislation to secure protection in the use of adulterated food products; which were referred to the Committee on Manufactures.

He also presented petitions of Evans Grange, No. 35, Patrons of Husbandry; of Galva Grange, No. 1591, Patrons of Husbandry; of McClusky Grange, No. 1712, Patrons of Husbandry; of Barry Grange, No. 194, Patrons of Husbandry; of Lebanon Grange, No. 348, Patrons of Husbandry; of Cortland Grange, No. 1695, Patrons of Husbandry; of Pomona Grange, No. 203, Patrons of Husbandry; of Cross Roads Grange, No. 1715, Patrons of Husbandry; of Pierceville Grange, No. 404, Patrons of Husbandry; of Tonica Grange, No. 213, Patrons of Husbandry; of Rubicon Grange, No. 1513, Patrons of Husbandry; of Dunlap Grange, No. 919, Patrons of Husbandry; of Salem Grange, No. 1483, Patrons of Husbandry; of Roberts Grange, No. 1717, Patrons of Husbandry; of Union Star Grange, No. 1010, Patrons of Husbandry; of Walnut Grange, No. 1653, Patrons of Husbandry; of Turkey Hill Grange, No. 1770, Patrons of Husbandry; of Farmers' Grange, No. 633, Patrons of Husbandry; of Oblong Grange, No. 1008, Patrons of Husbandry; of Spring Grange, No. 540, Patrons of Husbandry; of Hickory Grange, No. 632, Patrons of Husbandry, and of Bone Gap Grange, No. 803, Patrons of Husbandry, all in the State of Illinois, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which were referred to the Committee on Post-Offices and Post-Roads.

THE NICARAGUAN CANAL.

Mr. MORGAN. I ask that a paper entitled "Views of Commodore George W. Melville, Chief Engineer of the Navy, as to the strategic and commercial value of the Nicaraguan Canal, the future control of the Pacific Ocean, the strategic value of Hawaii, and its annexation to the United States," be printed as a document. It has been printed once before by the Senate.

The VICE-PRESIDENT. Without objection, it will be so ordered.

OPERATION OF THE CIVIL-SERVICE LAW.

Mr. PRITCHARD. I ask that Senate Report No. 659, Fifty-fifth Congress, second session, being a report submitted by me from the Committee on Civil Service and Retrenchment, be reprinted, together with the hearings taken before that committee.

The VICE-PRESIDENT. There being no objection, it will be so ordered.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 3890) to grant lands to the State of Alabama for the use of the Agricultural and Mechanical College of Alabama, for negroes, and the State Normal College, at Florence, Ala., reported it without amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3142) for the relief of Anna Merkel, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3632) to abolish estates of curtesy and dower in the District of Columbia, to provide for the custody of the persons of children under 14 years of age, to regulate the descent and distribution of the estates of intestates, and for other purposes, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the amendment submitted by Mr. GALLINGER on the 1st instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 9th instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. KYLE, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 3675) to examine, determine, and report the facts necessary to the establishment of free public highways into the Yosemite National Park, and appropriating moneys therefor, reported it without amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on the Judiciary, to whom was referred the bill (H. R. 5379) to amend sections 1 and 2 of the act of March 3, 1887, 24 Statutes at Large, chapter 359, reported it with an amendment.

Mr. BACON, from the Committee on the District of Columbia, to whom the subject was referred, submitted a report, accompanied by a bill (S. 4107) for the protection of subsurface pipes, cables, wires, and other metallic constructions in the District of Columbia from danger by electrolysis, and for other purposes; which was read twice by its title.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 86) proposing an amendment to the Constitution of the United States providing for the succession to the Presidency in a certain contingency, to report a substitute therefor. I desire to state that I shall take a time when it will be convenient to the Senate to make a few remarks explanatory of the proposed constitutional amendment.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 1726) concerning attorneys and marshals of the United States, reported it without amendment.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (S. 2700) to confer jurisdiction upon the circuit courts in certain cases, reported it with an amendment.

MONONGAHELA RIVER BRIDGE.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 7203) extending the time within which the Pittsburg and Mansfield Railroad Company is authorized to construct a bridge across the Monongahela River to report it favorably without amendment. Owing to the peculiar circumstances, I ask for the immediate consideration of the bill. It is only ten lines long and extends the time one year for building a bridge which is now being constructed, and the work is much delayed by reason of the pendency of this measure.

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

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

BILLS INTRODUCED.

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

A bill (S. 4108) granting to the Washington Improvement and Development Company a right of way through the Colville Indian Reservation in the State of Washington; and

A bill (S. 4109) granting a right of way through the Quinalt Reservation.

Mr. WILSON introduced a bill (S. 4110) to amend the act entitled "An act to provide for the location and satisfaction of outstanding military bounty land warrants and certificates of location, under section 3 of the act approved June 2, 1858;" which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4111) granting an increase of pension to George A. Miller, late of Company B, Thirteenth Tennessee Cavalry; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 4112) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Missouri River at or within 1 mile of the section line dividing sections 29 and 30, township 10 south, of range 25 east, in Wyandotte County, Kans., by the Kansas City, Northeastern and Gulf Railway; and to authorize said railway company to construct a railroad bridge, a wagon bridge, or foot-passenger bridge, or either of them, as it may choose; which was read twice by its title, and referred to the Committee on Commerce.

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

A bill (S. 4113) granting a pension to Julia A. Taylor, of Pratt, Kans.;

A bill (S. 4114) granting a pension to Brice Davis, of Howard, Kans.; and

A bill (S. 4115) granting a pension to Anna B. Gillette.

Mr. ALLEN introduced a bill (S. 4116) to provide for sinking artesian wells in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BATE introduced a bill (S. 4117) for the relief of Mary J. Roberts and her children, to wit, John Joseph Stansifer, Eva May Deakins, Octavia Baker, Annie M. Gledhill, Ida Belle Stansifer, and Charles L. Stansifer, all of Hamilton County, Tenn.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 4118) granting an increase of pension to Hiram P. Ellis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 4119) to aid the public-land States and Territories of the United States in the reclamation of the desert lands therein and the settlement, cultivation, and sale thereof in small tracts to actual settlers; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. TELLER introduced a bill (S. 4120) for the relief of Darwin J. Chadwick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. DAVIS introduced a bill (S. 4121) for the relief of the estate of Ramsay Crooks; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 4122) to place Allen V. Reed, now a captain on the retired list of the Navy, upon the active list with the rank and pay of a commodore without interference with the list as otherwise constituted; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. VEST introduced a bill (S. 4123) for the relief of Mrs. Nellie E. Stockton, widow of Lieut. Edward C. Stockton, of the United States Navy; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 4124) for the protection of song birds; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FRYE introduced a bill (S. 4125) to license custom-house brokers, and providing for a fee of \$25 therefor; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. McBRIDE introduced a bill (S. 4126) to amend an act approved January 29, 1887, entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes;" which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4127) to provide for dredging the channel in the harbor of New Bedford, Mass.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 4128) granting a pension to Horace B. Durant; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4129) granting a pension to Emanuel F. Ditzler; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4130) to regulate

the use of the United States flag and official publications of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

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

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

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

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

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

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

HISTORY OF CURRENCY AND LOANS.

Mr. TELLER submitted the following concurrent resolution; which was referred to the Committee on Printing, and ordered to be printed:

Resolved by the Senate (the House of Representatives concurring), That there be printed 15,000 additional copies of the History of the Currency of the Country, and of the Loans of the United States, of which 5,000 copies shall be for the use of the Senate, 10,000 copies for the use of the House of Representatives, and 1,000 copies for distribution by the Secretary of the Treasury.

DESTRUCTION OF THE BATTLE SHIP MAINE.

The VICE-PRESIDENT. The Chair lays before the Senate resolution No. 305, coming over from a previous day. The resolution will be read.

The Secretary read the resolution submitted by Mr. CHANDLER on the 9th instant, and reported from the Committee to Audit and Control the Contingent Expenses of the Senate by Mr. JONES of Nevada on the 10th instant, as follows:

Resolved, That in conducting the inquiry into the cause of the destruction of the battle ship Maine in Habana Harbor on February 15, 1898, under the resolution of the Senate of February 21, the Committee on Naval Affairs is hereby authorized to send for persons and papers, to employ a stenographer, and to make the investigation by the full committee or by subcommittees thereof, the expenses of such investigation to be paid from the contingent fund of the Senate.

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

The resolution was agreed to.

The VICE-PRESIDENT. Is there further morning business?

Mr. PERKINS. If the morning business is through, I ask unanimous consent to call up House bill 1595.

Mr. ALLEN. Will the Senator from California yield to me a moment for an inquiry?

Mr. PERKINS. Certainly.

Mr. ALLEN. I observe some members of the Committee on Naval Affairs present, and I should like to ask what has been done with the resolution introduced by me some weeks ago proposing an inquiry into affairs at Habana Harbor. I see the Senator from New Hampshire [Mr. CHANDLER] who is a member of that committee is here, and not observing the chairman present, I should like to learn from that Senator whether any progress has been made in the investigation called for.

Mr. CHANDLER. Mr. President, it always gratifies me to respond to any inquiry which may be made by the Senator from Nebraska.

The chairman of the Committee on Naval Affairs is absent this morning. The acting chairman is the Senator from California on my left [Mr. PERKINS]. I will, however, venture to say that the Committee on Naval Affairs has as yet taken no action under the resolution which was introduced by the Senator from Nebraska and passed by the Senate. I am not aware that there has been any conference in the committee as to when the investigation shall commence. I think, speaking generally, that it has been the purpose of the individual members of the committee to wait until about the time of the completion of the investigation made by the naval court of inquiry. At any rate, no action has been taken thus far.

The Senate has this morning upon my motion passed a resolution giving the committee power to send for persons and papers. That authority it was necessary to give because in the present condition of the law there is no way in which either a naval court-martial or a naval court of inquiry can summon a witness and compel him to give testimony. There might be in Washington to-day an individual who had direct knowledge of the reasons for the explosion of the *Maine* and there would exist no power what-

ever to compel him to appear and testify. The naval courts of inquiry have no such power. There is such a power, I think, already given by statute to army courts-martial and army courts of inquiry, but a similar clause in the statute does not exist giving power to naval courts. Therefore I thought that the committee should have the power given to it to summon witnesses, and the Senate has this morning passed the resolution which I offered. I am not aware what the plans and purposes of the committee will be found to be.

Mr. ALLEN. Is the Senator advised whether the committee will pursue an independent investigation?

Mr. CHANDLER. I am not prepared to speak for the committee. The acting chairman can state what he sees fit. The committee stand under the injunction of the Senate to make an investigation.

When the Senator from Nebraska first introduced his resolution it proposed to direct an immediate inquiry. There was objection to the passage of a resolution containing that peremptory injunction, and the Senator introduced his resolution without the word "immediate," and it passed without objection. It places an injunction upon the committee to make an inquiry, but it does not limit in any way the discretion of the committee to make the investigation at a time and in a manner which they may see fit to adopt.

I believe I have gone as far, Mr. President, as I think I ought to go. The subject is one, I will take occasion to say, which I do not think ought to be discussed in public, and I desire to commend in closing the Senator from Nebraska for the patriotic restraint which he has of late put upon himself in that regard.

Mr. BACON. With the permission of the Senator from Nebraska, I should like to ask the Senator from New Hampshire if he understands that the resolution introduced by him will enable the committee to compel a witness to testify. I will state the reason why I make this inquiry. The Senator has referred to the law with reference to courts-martial. There is a court-martial now sitting in which it has been ruled by the court that there is no law which will enable that court to compel a civilian to give evidence. I have not had the opportunity to examine the resolution introduced by the Senator, and I ask him whether by its terms the committee can compel a witness to give testimony.

Mr. CHANDLER. The resolution which has just been adopted authorizing the committee to send for persons and papers is ample to sustain any investigation which the Committee on Naval Affairs may make. I suppose the Senator from Georgia refers to a recent decision in connection with an army court-martial.

Mr. BACON. That is what I refer to.

Mr. CHANDLER. I will state the distinction. There is no law whatever authorizing naval courts to compel the attendance of witnesses. There is authority given by the statute to army courts to send for witnesses, but there are no sufficient supplementary provisions to enforce the right which is given to the army courts. There should be a statute which shall provide that when a civilian witness refuses to attend an army court or a naval court proceedings may be instituted against him in the courts of law. That provision is absent as to both kinds of courts, army courts and naval courts. The Army has the declaration of its right in the statute, but the statute is destitute of any provisions for enforcing the right.

Mr. TILLMAN. Mr. President—

Mr. ALLEN. Just a word, if the Senator from South Carolina will permit me. I modified my resolution as originally introduced by striking out the word "immediate" where it proposed to require an immediate investigation. I did so at the suggestion of Senators who seemed to think that that word was rather coercive in its character, and that it would be better to let the matter go to the Committee on Naval Affairs and depend upon their sense of propriety in making an investigation without any delay. I am depending upon that, Mr. President. I think the Senate ought to make a distinct investigation of its own. That was the purpose of the resolution, and that is its purpose.

As to the Senator's remark that these courts are without the power to compel parties to testify when brought before them, it seems to me that is to be taken rather to the discredit of the Senate than otherwise. This Government is one hundred and twenty-six years old. We have had that time within which to provide by ample statute authority in every investigating committee to summon witnesses and punish them for a refusal to testify. If we neglect to do that, of course we never can expect to get testimony.

The VICE-PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6896) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations

with various Indian tribes for the fiscal year ending June 30, 1899, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. LITTLE, managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6546) making appropriations for the support of the Army for the fiscal year ending June 30, 1899.

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

A bill (S. 18) to remove the charge of desertion from the name of Emanuel Schamp;

A bill (S. 962) granting a pension to Riley W. Pierce;

A bill (S. 1034) for the relief of James Eganson, of Henderson, Ky., and

A bill (S. 1542) granting an increase of pension to John A. Worswick.

The message also announced that the House had passed the following bills, each with an amendment in which it requested the concurrence of the Senate:

A bill (S. 139) granting an increase of pension to Florence W. Buskirk;

A bill (S. 400) for the relief of Dorence Atwater;

A bill (S. 473) for the relief of David O. Burleigh;

A bill (S. 809) for the relief of Orin R. McDaniel;

A bill (S. 934) granting an increase of pension to Napoleon B. Breedlove;

A bill (S. 2213) granting an increase of pension to Mrs. Cornelia I. Skiles;

A bill (S. 2728) granting a pension to William D. Lamb;

A bill (S. 3064) to increase the pension of Caroline W. Abney, widow of M. W. Abney, a soldier in the Mexican war; and

A bill (S. 3339) to increase the pension of Martha S. Harlee, widow of W. W. Harlee, a soldier in the Florida war.

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

A bill (H. R. 587) granting a pension to Henry H. K. Elliott;

A bill (H. R. 747) granting an increase of pension to Lovenia Bayles;

A bill (H. R. 771) granting an increase of pension to Bernard Dunn;

A bill (H. R. 863) granting a pension to Francis Shetais, alias Frank Stay;

A bill (H. R. 1322) granting a pension to Benjamin F. Howland;

A bill (H. R. 1801) granting an increase of pension to Catherine Clifford;

A bill (H. R. 2023) to pension Henderson H. Boggs;

A bill (H. R. 2074) granting a pension to Jane H. Sandborn;

A bill (H. R. 2159) granting an increase of pension to Col. Benjamin Beach;

A bill (H. R. 2199) granting an increase of pension to Henry F. Rice;

A bill (H. R. 2426) granting an increase of pension to Helen Larned;

A bill (H. R. 2815) granting an increase of pension to Eliza Miller;

A bill (H. R. 2850) granting a pension to Sarah Spangler;

A bill (H. R. 3141) increasing the pension of Price W. Hawley;

A bill (H. R. 3160) to place on the pension rolls the name of Minerva Sample;

A bill (H. R. 3326) granting a pension to Thomas S. Hancox;

A bill (H. R. 3362) granting an increase of pension to Bolivar J. Pridgen;

A bill (H. R. 3661) granting a pension to Charles L. Stephens;

A bill (H. R. 3737) granting an increase of pension to Orlando J. Hopkins;

A bill (H. R. 3798) granting an increase of pension to Milton Iserman;

A bill (H. R. 4116) to increase the pension of Charles C. Short;

A bill (H. R. 4160) granting an increase of pension to George W. Garrison;

A bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler, formerly private, Company A, First United States Infantry;

A bill (H. R. 4206) granting an increase of pension to Jacob G. Frick;

A bill (H. R. 4299) for increase of pension of Alexander E. Ingraham;

A bill (H. R. 4300) to increase the pension of John C. Wagoner;

A bill (H. R. 4314) to increase the pension of Moritz Tschoepe;

A bill (H. R. 4526) granting a pension to Mary Vockey;

A bill (H. R. 4672) granting an increase of pension to Alfred D. Johnson;

A bill (H. R. 4675) granting an increase of pension to George Van Vliet, of Brookville, Pa.;

A bill (H. R. 4981) granting an increase of pension to William D. Seamans, late a private, Company L, Fourteenth New York Heavy Artillery;

A bill (H. R. 5035) increasing the pension of B. F. Wonder;

A bill (H. R. 5156) granting an increase of pension to Daniel J. Smith;

A bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States;

A bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry;

A bill (H. R. 6078) for the relief of Abel B. Fowler;

A bill (H. R. 6209) to pension William Stephenson Smith;

A bill (H. R. 6515) granting a pension to Grace Gudgey;

A bill (H. R. 7165) granting an increase of pension to Alphonso Freeman;

A bill (H. R. 7539) granting an increase of pension to Mrs. Martha M. McCall;

A bill (H. R. 8333) granting an increase of pension of Michael H. J. Crouch;

A bill (H. R. 334) granting an honorable discharge to Samuel Johnston;

A bill (H. R. 375) to remove the charge of desertion standing against Dennis Fitzpatrick;

A bill (H. R. 1037) to remove the charge of desertion standing against the name of Patrick Dougherty, Company A, Thirteenth New York Volunteer Infantry.

A bill (H. R. 2030) to correct the military record of Edward P. Jennings;

A bill (H. R. 2430) removing charge of desertion from military record of W. H. Cohorn;

A bill (H. R. 2629) to grant a pension to John Thurston, of Island Pond, Vt.;

A bill (H. R. 2768) for the relief of George Peyton from the charge of desertion and to grant him an honorable discharge;

A bill (H. R. 3243) for the relief of Cordell B. Green, Company D, Sixteenth Michigan Infantry;

A bill (H. R. 3990) to remove the charge of desertion from the record of John R. Butler;

A bill (H. R. 4041) removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry;

A bill (H. R. 5040) for the relief of Isaac N. Babb;

A bill (H. R. 5113) to remove the charge of desertion from and to correct the military record of Capt. William Churchill, late a private of Company K, Second Regiment of United States Cavalry;

A bill (H. R. 5325) for the relief of John Rustman;

A bill (H. R. 7931) for the relief of Albert D. Lee;

A bill (H. R. 1307) to correct the naval record of G. K. Knowlton, late of the United States Navy;

A bill (H. R. 2477) to relieve John McCarthy from the charge of desertion;

A bill (H. R. 4418) to remove the charge of desertion from the naval record of Horace G. Reed;

A bill (H. R. 6906) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River in the State of Louisiana, at or near Shreveport; and

A joint resolution (H. Res. 166) authorizing the Secretary of War to loan tents to the citizens' committee of the city of Cincinnati for the use of the Thirty-second National Encampment of the Grand Army of the Republic.

The message also announced that the House had passed a concurrent resolution to print 6,000 copies of the Report of the Director of the Mint for the fiscal year 1897; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 4751) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes; and

A bill (H. R. 8386) to extend the time for the construction of the railway of the Chicago, Rock Island and Pacific Railway Company through the Indian Territory.

RIGHT OF WAY UPON PUBLIC LANDS.

Mr. WOLCOTT. I call for the regular order.

The VICE-PRESIDENT. The Senator from California [Mr. PERKINS] asks unanimous consent for the present consideration of the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill; which had been reported from the Committee on Public Lands with an amendment.

Mr. PERKINS. The bill was read a few days since. It went over under objection by the Senator from Connecticut [Mr. PLATT], he at that time thinking that it was for purposes more extended than those which appear in it. He has since withdrawn his objection, and therefore the question, if the Chair please, is on the amendment proposed by the Committee on Public Lands.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. The Committee on Public Lands report as an amendment, to add at the end of the bill the following proviso:

Provided, That nothing in this act or the act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," or the act approved January 21, 1895, entitled "An act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes," or the act approved February 23, 1897, entitled "An act to provide for the use and occupation of reservoir rights reserved," shall be so construed as to authorize the appropriation or storage of the waters of any stream or river, State, interstate, or international, to which others below have right by prior appropriation, or the obstruction or interference with the navigable capacity of such streams or rivers; and such appropriation or storage, obstruction, or interference, is hereby prohibited.

The amendment was agreed to.

Mr. PASCO. I notice that in printing the bill quotation marks were put about certain paragraphs. I do not suppose it is necessary to offer to amend it in that respect, but they are improperly there, and I presume this error in printing will be observed in the enrollment of the bill.

The VICE-PRESIDENT. Without objection the quotation marks will be taken out.

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

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

The bill was read the third time, and passed.

PUBLIC BUILDING AT PROVIDENCE, R. I.

Mr. ALDRICH. I ask the Senate to proceed to the consideration of the bill (S. 3535) for the erection of a public building at Providence, R. I.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to accept, as a donation from the city of Providence, in the State of Rhode Island, a suitable lot of land situated in Exchange place, in that city, easterly of the east line of Exchange street extended, and cause to be erected thereon a commodious and substantial building, with fireproof vaults therein, for the accommodation of the United States post-office, district and circuit courts, custom-house, internal-revenue and other Government civil offices in that city. The plans, specifications, and full estimates for the building shall be, upon the acceptance of the site, made and approved according to law, and shall not exceed for the building, complete, the sum of \$1,500,000.

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

EX-CADET ENGINEER J. E. PALMER.

Mr. McMILLAN. I ask unanimous consent for the present consideration of the joint resolution (H. Res. 92) for the relief of ex-Cadet Engineer J. E. Palmer.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the President of the United States to appoint, by and with the advice and consent of the Senate, James Edward Palmer as a passed assistant engineer in the Navy, with relative rank of junior lieutenant, to take rank at the foot of his original class, next after P. A. Engineer A. S. Halstead, Palmer having been honorably discharged by the operation of the act of Congress approved August 5, 1882.

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

EDWIN L. FIELD.

Mr. FRYE. I ask for the present consideration of the bill (S. 3808) for the relief of Edwin L. Field, of Gray, Cumberland County, Me.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Edwin L. Field, of Portland, Me., \$3,700, being the amount of a judgment against him recovered by James R. Atkins for personal injuries sustained by the parting of a guy to a derrick owned by the United States while being used by the War Department in the construction of the two-gun battery at Portland Head, in the town of Cape Elizabeth, Me., provided Field produces evidence satisfactory to the Secretary that he has paid the judgment.

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

SANTE FE, THE CAPITAL OF NEW MEXICO.

Mr. SHOUP. I ask unanimous consent to call up the bill (H. R. 4066) to permanently locate the capital of the Territory of New Mexico.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the city of Santa Fe, in the county of Santa Fe and Territory of New Mexico, shall be and remain the seat of government of the Territory of New Mexico.

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

ARMY APPROPRIATION BILL.

Mr. QUAY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6546) making appropriations for the support of the Army for the fiscal year ending June 30, 1899, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$161,900;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For mileage to officers when authorized by law, \$130,000: *Provided*, That the maximum sum to be allowed and paid to any officer of the Army shall be 7 cents per mile, distances to be computed over the shortest usually traveled routes: *Provided further*, That when any officer so traveling shall travel in whole or in part on any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any of the bond-aided Pacific railroads, or over the railroad of any railroad company which is entitled to receive only 50 per cent of the compensation earned by such company for transportation services rendered to the United States, he shall be furnished with a transportation request by the Quartermaster's Department for such travel; and the cost of the transportation so furnished shall be a charge against the officer's mileage account for such travel, to be deducted by the paymaster who pays the account, at rates paid by the general public for travel over such roads: *Provided further*, That officers who, by reason of the decision of the accounting officers of the Treasury, have been compelled to pay from their own means one-half of the cost of their travel fare over railroads known as 50 per cent railroads, shall be reimbursed the same by the Pay Department, and paymasters against whom disallowances have been made by the accounting officers of the Treasury under such decision shall have the amount so disallowed passed to their credit."

And the Senate agree to the same.
That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$13,614,402;" and the Senate agree to the same.

M. S. QUAY,
EUGENE HALE,
CHARLES J. FAULKNER,
Managers on the part of the Senate.
J. A. T. HULL,
N. N. COX,
Managers on the part of the House.

The report was concurred in.

RIGHT OF WAY THROUGH COLVILLE INDIAN RESERVATION.

Mr. WILSON. I ask unanimous consent for the consideration at this time of the bill (S. 4048) granting to the Kettle River Valley Railway Company a right of way through the north half of the Colville Indian Reservation, in the State of Washington.

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

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

HOT SPRINGS RESERVATION.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 4385) relating to leases on the Hot Springs Reservation, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Interior, in addition to his present powers, to grant leases and privileges to suitable persons to construct and maintain observatories, pavilions, refreshment stands, upon the Government reservation in the city of Hot Springs, in the State of Arkansas, under such rules and regulations as he may prescribe.

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

AUGUST BOLTEN AND GUSTAVE RICHELIEU.

Mr. LODGE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 61) for the relief of August Bolten and Gustave Richelieu.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution. It proposes to empower the President of the United States to take such measures as in his judgment may be necessary to obtain the indemnity from the Spanish Government for the wrongs and injuries suffered by August Bolten and Gustave Richelieu by reason of their wrongful arrest and imprisonment by Spanish authorities at Santiago de Cuba in the year 1895; and to secure this end he is

authorized and requested to employ such means or exercise such power as may be necessary.

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

INDIAN DEPREDAATION CLAIMS.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 3171) to refer certain claims for Indian depredations to the Court of Claims.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Indian Affairs with an amendment, to insert as an additional section the following:

SEC. 3. That either party, whether the United States or any of the above-named persons, shall have the right to prosecute within one year from the date of the entry of an adverse judgment a writ of error or an appeal to the Supreme Court of the United States.

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.

TENTS FOR GRAND ARMY OF THE REPUBLIC.

Mr. FORAKER. I ask unanimous consent for the present consideration of the joint resolution (H. Res. 166) authorizing the Secretary of War to loan tents to the citizens' committee of the city of Cincinnati for the use of the thirty-second national encampment of the Grand Army of the Republic. I will state that the joint resolution came from the House of Representatives this morning and is not on the Calendar.

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

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

NATIONAL FLORENCE CRITTENTON MISSION.

Mr. PRITCHARD. I ask unanimous consent for the present consideration of the bill (S. 771) to incorporate the National Florence Crittenton Mission.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on the District of Columbia with an amendment, in section 1, line 6, after the word "corporate," to insert "in the District of Columbia;" so as to read:

That Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton, and their associates and successors, are hereby constituted a body politic and corporate in the District of Columbia for the period of twenty years from and after March 4, 1897, by the name of "The National Florence Crittenton Mission," for the following purposes, etc.

The amendment was agreed to.

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

Mr. VEST. Is there anything in the bill providing for amending or repealing it? I could not hear the reading of the bill. Such a provision ought to be put in all these acts of Congress.

The VICE-PRESIDENT. The Chair is informed that there is no such provision in the bill.

Mr. VEST. Then I object to its further consideration, because I think we ought not to pass bills of this character without such a provision.

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

Mr. PRITCHARD subsequently said: I ask the Senate to resume the consideration of the bill (S. 771) to incorporate the National Florence Crittenton Mission. The Senator from Missouri has prepared an amendment which I accept and desire to offer for him.

There being no objection, the Senate resumed the consideration of the bill.

The VICE-PRESIDENT. The proposed amendment will be read.

The SECRETARY. At the end of the bill it is proposed to add:

The right to alter, amend, or repeal this act by Congress at any time is hereby expressly reserved.

Mr. SPOONER. I suggest to the Senator to strike out the words "by Congress." The right can not be reserved to any other power. I think the Senator will be willing to accept that. It is a mere verbal correction.

Mr. PRITCHARD. I accept the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

ESTATE OF FRANK B. SMITH, DECEASED.

Mr. HARRIS. I ask unanimous consent for the present consideration of the bill (S. 2678) for the relief of Lizzie Hagney, as administratrix of the estate of Frank B. Smith, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Lizzie Hagney, as administratrix of the estate of Frank B. Smith, deceased, \$1,237.52, being the amount expended by Frank B. Smith for clerk hire in excess of his allowance during his incumbency as postmaster at Wichita, Kans., from October 1, 1886, to June 30, 1887.

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

FORT SHAW MILITARY RESERVATION.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (S. 160) to provide for the disposal of the abandoned Fort Shaw Military Reservation, in Montana, under the homestead, mining, and other land laws of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments, in section 2, line 4, after the word "homestead," to insert the word "and;" and in line 5, before the word "laws," to strike out "and other land;" so as to read:

SEC. 2. That said reservation, upon the approval of the survey thereof by the Secretary of the Interior, shall become a part of the public domain and subject to exploration, location, entry, and settlement under the homestead and mining laws of the United States.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill to provide for the disposal of the abandoned Fort Shaw Military Reservation, in Montana, under the homestead and mining laws of the United States."

HATTIE A. PHILLIPS.

Mr. WARREN. I ask unanimous consent for the consideration at this time of the bill (S. 2013) for the relief of Hattie A. Phillips.

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

Mr. PLATT of Connecticut. If there is a report in that case, I should like to hear it read.

The VICE-PRESIDENT. The report will be read.

The Secretary proceeded to read the following report, submitted by Mr. WARREN December 15, 1897:

The Committee on Claims, to whom was referred Senate bill 2013, having carefully considered the same, report it back without amendment and recommend that it do pass.

The bill proposes to pay for certain valuable services rendered by John Phillips in 1866 in rescuing the garrison at Fort Phil Kearny, and also a full settlement of claims against the Government, amounting to \$5,785 for oxen, mules, and horses taken from said Phillips while engaged in hauling wood for the Government at Fort Fetterman in 1872. A part of this amount was allowed as an Indian depredation claim, passed upon by the Secretary of the Interior and reported to Congress in 1874, and afterwards passed favorably upon by the Court of Claims, but not paid because of a technicality regarding Mr. Phillips's naturalization papers.

The Committee on War Claims of the House of Representatives in the Fifty-fourth Congress recommended the passage of a bill precisely similar to this bill, and we copy the following from the House report:

[House Report No. 1913, Fifty-fourth Congress, first session.]

* * * In all the annals of heroism, in the face of unusual dangers and difficulties on the American frontier or in the world, there are few that can exceed in gallantry, in heroism, in devotion, in self-sacrifice, and patriotism the ride made by John Phillips from Fort Phil Kearny, in December, 1866, to Fort Laramie, carrying dispatches which gave the first intelligence to the outside world of the terrible massacre near the former post, and which saved the lives of the people garrisoned there—men, women, and children—by starting reinforcements to their relief. On the 21st day of December, 1866, Fort Phil Kearny, commanded by Col. Henry B. Carrington, under the shadow of the Big Horn Mountains, over 200 miles from the nearest telegraph line, was the extreme outpost in that part of the Northwest. The savage Sioux, under Red Cloud, had been hovering in the vicinity of the post for some time, and had been last seen in large numbers on Tongue River northeast of the fort.

On the 21st of December the Indians made an attack upon the wood train a few miles north of the fort. A detachment of troops under the command of Brevet Lieutenant-Colonel Fetterman, including 2 other officers and 78 men, and a number of civilians, made a dash from the fort for the purpose of protecting the wood train. While some 4 miles from the fort they were surrounded by the Indians in overwhelming numbers, and every man of the detachment was killed. The heroism of their struggle for life can never be told, but the terrible slaughter which has since been confessed by the Indians of their braves, and the fact that the troops were only killed after their ammunition was exhausted, speaks eloquently of the horrible and bloody nature of the encounter. The triumphant and bloodthirsty Sioux, commanded by Red Cloud and outnumbering the garrison by 20 to 1, had then surrounded and entirely invested the fort. An attack was hourly expected. It was understood that if the Indians were successful in taking the fort it meant death for the garrison and a worse fate for the women and children, who begged piteously to be placed in the powder house and blown up in the case of a successful attack by the Indians.

At this juncture, when brave men felt that the only possible hope for the garrison was in taking news of their beleaguement to the nearest outside post, and not a soldier could be found who would brave the attempt to break through the savages and ride to the nearest outpost, a distance of 225 miles, John Phillips, a scout and hunter, volunteered to take dispatches to Fort Laramie. Placing a few biscuits in his pockets, tying on his saddle a small quantity of feed for his horse, he left the post at midnight on the night succeeding the massacre and reached Fort Laramie with the dispatches five

days later. The country across which he rode was absolutely uninhabited by white men, and the ground was covered with snow from 3 to 5 feet in depth; he had no food for himself or his horse other than the meager amount he took with him, and it was necessary for him to travel entirely by night for fear of hostile Indians. The weather was exceedingly cold, the thermometer reaching 20° below zero. When he delivered the dispatches at Fort Laramie, hardy frontiersmen as he was, he fell in a dead faint. Immediately on receipt of the dispatches troops were forwarded from Fort Laramie and the garrison at Fort Phil Kearny was relieved. For this most remarkable act of heroism John Phillips has never in any way been paid by the General Government, the only payment made him being the sum of \$300, which was paid him for various scouting services.

In the years immediately following his heroic ride John Phillips was employed in various capacities and engaged in business in connection with Government posts, and he was continually hunted and harassed by the Sioux, who always looked upon him as the man who had wrested from their grasp the garrison at Fort Phil Kearny. At one time he was lassoed by the Indians in an attempt to capture him for the purpose of torture. At other times his cattle were shot down, undoubtedly through pure wantonness on the part of these Indian marauders. In 1872 John Phillips was engaged in hauling wood for the Government at Fort Fetterman, when a band of Indians, supposed to be Ogallala Sioux and Cheyennes, drove off and killed a considerable amount of stock belonging to him. The Sioux chief, Red Cloud, acknowledged this depredation, but insisted that the Indians belonged to another band than his. This claim was passed upon by the Court of Claims, and the evidence was overwhelming, including the evidence of army officers, Indian agents, special examiners, and others, and the Court of Claims allowed and entered judgment for the sum of \$2,210. (See House of Representatives Ex. Doc. No. 125, pp. 82 and 83, Forty-ninth Congress, first session.)

It subsequently transpired that at the time the above depredation occurred John Phillips was not a fully naturalized citizen of the United States, and therefore the claim was not paid. As the court could not take into account the gallant and meritorious services to his country of this brave man, but could make its decision only on the finding of fact, the claim has never been recognized. Subsequently John Phillips became a fully naturalized citizen of the United States. Broken in health by the exposure and strain of his long and perilous ride, he died in the prime of life, leaving a widow and child in straitened circumstances. There is no question but that John Phillips suffered from Indian depredations other than those at Fort Fetterman, which was passed upon by the Court of Claims, and that the Indians held a grudge against him for his action in saving the Fort Phil Kearny garrison.

The following affidavits, among those before the committee, relate to John Phillips's heroic ride:

"Henry B. Carrington, United States Army, being duly sworn, makes oath and says: That on the 21st day of December, 1886, as colonel of the Eighteenth United States Infantry, and as commanding officer of the Rocky Mountain district, Military Department of the Platte, he found his whole district to be in a state of bitter war with the Indians occupying that country, and was constantly engaged in such warfare; that it became necessary to employ citizen scouts and messengers who were familiar with the country and with Indian methods.

"That on the 21st day of December, 1886, aforesaid, an action took place within 6 miles of Fort Phil Kearny, which post was his headquarters, in which, surprised by Red Cloud, a Sioux chief, and his band of overwhelming numbers, 3 officers and 78 men were killed and mutilated in less than one hour; that several thousand Indians surrounded the post, rendering communication with Fort Laramie, the nearest post having troops at disposal, impracticable; that the garrison was so small that no troops could be sent back for assistance; that only by the utmost care, all troops being on guard constantly, supported by five pieces of artillery, was the post itself preserved intact; that ammunition had been reduced to less than 20 rounds per man, and neither officers nor men believed it possible to venture through the surrounding Indian forces for help with any hope of success.

"At this juncture John Phillips, used to frontier life, the wives of the Indians, and convinced that utter destruction awaited the command unless relief were promptly obtained, volunteered his services as dispatch bearer to Fort Laramie, 225 miles distant, through a hostile country, absolutely without inhabitants or the possibility of aid or supplies en route. Confidential dispatches were entrusted to his care, with instructions how to meet emergencies, and during the night after the battle he started on his dangerous mission. Previous mail parties and another party of expert border scouts which left later were scalped, and their bodies and the mails were found on the ground where they were overpowered.

"Phillips, by riding nights and keeping under cover by day, safely reached a telegraph station 40 miles from Fort Laramie just before the Indians attacked and burned it, sent his dispatches, pushed on to Fort Laramie, and found that his dispatches had been received and troops were preparing to go to the relief of the endangered garrison.

"His heroism was without the promise of any special reward, but was executed with rare skill, patriotism, and success. His mission practically rescued the whole country from Indian outrage and brought to that section immediate relief.

"It is impossible to state more strongly the value of his services, which were never adequately requited; and affiant knows of no soldier of the Army whose services more absolutely demand recognition for the sake of his family than do those of the brave, modest, faithful John Phillips, since deceased, leaving his widow in a destitute condition.

"The heroism of Phillips had a peculiarly tender and noble aspect. Lieut. G. W. Grummond was among the massacred party, and his widow was the guest of the family of the affiant and greatly overwhelmed with sorrow, while several other ladies with their families were exposed to the threatened attack. Mrs. Grummond several years later became the wife of the affiant, and her statement of particulars specially within her knowledge is furnished for information of those in authority and the consideration of Congress.

"HENRY B. CARRINGTON, U. S. A."

"STATE OF MASSACHUSETTS, Norfolk County ss:

"Before me, a notary public in and for said Norfolk County, personally appeared Henry B. Carrington, of the United States Army, who, being duly sworn, makes oath and says that the statements made in the above affidavit are made of his personal knowledge and are true.

"In witness whereof I have hereunto set my hand and seal notarial this 5th day of June, A. D. 1894.

"[SEAL.]

HENRY S. BRUNTON, Notary Public."

A copy of the dispatch carried by Phillips follows. The official copy can be seen on page 3, Senate Executive Document No. 15, Thirty-ninth Congress, second session.

[Copy of telegram to General Cooke, received at office of United States Military Telegraph, War Department, Washington, D. C., December 23, 1886, 3.15 p. m.]

FORT PHIL KEARNY, DAK. T., December 21, 1886.

(By courier to Fort Laramie, December 2.)

Do send me reinforcements forthwith. Expedition now with my force is

impossible. I risk everything but the post and its store. I venture as much as anyone can, but I have had to-day a fight unexampled in Indian warfare. My loss is 94 killed. I have recovered 49 bodies, and 35 more are to be brought in in the morning that have been found. Among the killed are Brevet Lieutenant-Colonel Fetterman, Capt. F. H. Brown, and Lieutenant Grummond.

The Indians engaged were nearly 3,000, being apparently the force reported as on Tongue River in my dispatches of the 5th of November and subsequent thereto. This line, so important, can and must be held. It will take four times the force in the spring to reopen if it be broken up this winter. I heard nothing of my arms that left Leavenworth September 15; additional cavalry ordered to join have not reported their arrival; would have saved us much loss to-day; the Indians lost beyond all precedent. I need prompt reinforcements and repeating arms. I am sure to have, as before reported, an active winter, and must have men and arms; every officer of this battalion should join it to-day. I have every teamster on duty and, at best, 119 left at the post.

I hardly need urge this matter; it speaks for itself. Give me two companies of cavalry at least forthwith, well armed, or four companies of infantry, exclusive of what I need at Reno and Fort Smith. I did not overestimate my early application; a single company, promptly, will save the line; but our killed show that any remissness will result in mutilation and butchery beyond precedent. No such mutilation as that to-day is on record. Depend on it that this post will be held so long as a round or man is left. Promptness is the vital thing. Give me officers and men. Only the new Spencer arms should be sent. The Indians desperate and they spare none.

HENRY B. CARRINGTON,
Colonel Eighteenth Infantry, Commanding.

Gen. U. S. GRANT.

Copy forwarded to Secretary 27th December.
Official.

E. S. PARKER,

Colonel and Aid-de-Camp.

Frances C. Carrington, resident of Hyde Park, State of Massachusetts, being duly sworn, makes oath and says:

"That on the 21st day of December, A. D. 1886, her husband, Lieut. George W. Grummond, of the Eighteenth United States Infantry, was killed in an action with Sioux Indians near Fort Phil Kearny, in what is now the State of Wyoming; that she was the guest of General Carrington's family when all the troops were rallied for defense of the fort, and families were concentrated for convenience of defense; that during that terrible night, when an attack in overwhelming numbers was constantly expected, John Phillips called to express his sympathy with her; that, overcome by his interest in her condition and the imminent danger of all concerned, and weeping with sorrow over her loss, he said:

"If the General wishes, I will go as messenger if it costs me my life." He presented to affiant his wolf robe "to remember him by if he was never heard of again." His whole bearing was manly, brave, unselfish, self-sacrificing, and beyond all praise. He had been respected by all the officers for the quiet courage he always exhibited, and was the only man of the garrison who realized the peril of the garrison to the extent of daring to expose his own life in the desperate attempt to cut through the savage hordes that surrounded us, with any faith in the success of such a mission. He left with the good wishes of all, and it is the smallest possible reward that Congress can offer to provide a suitable support for his widow in her lone and destitute condition.

"FRANCES C. CARRINGTON."

"STATE OF MASSACHUSETTS, County of Norfolk, ss:

"Before me, a notary public in and for said Norfolk County, personally appeared Frances C. Carrington, wife of Gen. Henry B. Carrington, who, being duly sworn, makes oath and says that the statements made in the above affidavit are made of her personal knowledge and are true.

"In testimony whereof I have hereunto set my hand and seal notarial this 5th day of June, A. D. 1894.

"[SEAL.]

HENRY S. BRUNTON, Notary Public."

The name of John Phillips should be written among those heroic men the tales of whose heroism, devotion, and patriotism illumine the story of savage warfare on our frontier. The committee believe that the Government does tardy justice to his memory in allowing this claim. It simply reimburses the widow for property actually lost, with a very slight recognition for the gallant and heroic services rendered.

During the reading of the report,

Mr. ALLEN. I should like to inquire of the Senator from Connecticut whether he desires to have the affidavits read?

Mr. PLATT of Connecticut. No; I do not desire that they be read, if the whole report can be put into the RECORD.

I regret that the Committee on Claims, in recommending the bill, have not distinguished between the amount which ought to be paid to the widow of John Phillips for depredations and the amount allowed for heroic services on his part. It seems to me they have mixed up the two, but I do not make any objection to 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.

VERONA E. POLLOCK.

Mr. ALLEN. I ask unanimous consent to call up the bill (S. 153) for the relief of Verona E. Pollock.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 7, before the word "thousand," to strike out "seventeen" and insert "thirteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. Verona E. Pollock, widow of Alexander L. Pollock, late consul of the United States at San Salvador, Salvador, Central America, the sum of \$13,000, out of any money in the Treasury not otherwise appropriated, as compensation for losses from the destruction of property and otherwise by reason of the sickness and death of her said husband, while at his post of duty as such consul, during a scourge of yellow fever in said country.

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.

HEIRS OF THE LATE JOHN ROACH.

Mr. QUAY. I ask the Senate to take up the bill (S. 1116) to pay the heirs of the late John Roach, deceased, \$330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*. There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Chair is informed that the bill has heretofore been read at length.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.
SHIP CANAL BETWEEN LAKE MICHIGAN AND THE WABASH RIVER.

Mr. TURPIE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 88) providing for the appointment of a commission, under the direction of the Secretary of War, for the preliminary survey, with plans, specifications, and approximate estimates of cost thereof, for the construction of a ship canal of approved width and depth from the lower shore of Lake Michigan to the Wabash River, and for the further investigation of the practicability of the construction of such waterway.

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

PRESIDENTIAL APPROVAL.

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 12th instant approved and signed the act (S. 3839) authorizing the Mississippi River, Hamburg and Western Railway Company to construct and maintain a bridge across the Bayou Bartholomew, in Arkansas.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I am compelled to be absent from the Chamber during the day, and I ask the Chair to lay before the Senate the action of the House of Representatives on the Indian 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. 6896) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1899, and for other purposes, and requesting a conference with the Senate on the disagreeing vote of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments and accede to the request of the House for a conference.

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. ALLISON, Mr. PERKINS, and Mr. COCKRELL were appointed.

HUGO O. LOEWI.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

In response to the resolution of the Senate of February 16, 1893, I transmit a report from the Secretary of State and accompanying papers relating to the claim of Hugo O. Loewi against the Government of Haiti.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, March 14, 1898.

INTERNATIONAL AMERICAN BANK.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 3414) to carry into effect the recommendations of the international conference by the incorporation of the International American Bank. If the bill is taken up, I shall then ask that the amendments reported by the Committee on Foreign Relations may be acted upon as they are reached in the formal reading of the bill.

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

Mr. STEWART. From what committee is it reported?

Mr. FORAKER. From the Committee on Foreign Relations.

Mr. STEWART. We ought to have a couple of days to consider the measure. I feel disposed to object to the consideration of the bill if it will not be open to discussion. I wish to examine it pretty thoroughly to see that it is not an international swindle. I do not make any such charge—

Mr. FORAKER. I trust that when the Senator from Nevada examines the bill he will find that it is all right. I supposed he had examined it.

Mr. STEWART. The title is suspicious; that is all.

Mr. FORAKER. It is a bill which has been under consideration for a long time and is unanimously reported by the Commit-

tee on Foreign Relations with the amendments to which I have referred.

Mr. STEWART. I would rather have it lie over.

Mr. PETTUS. I ask that the bill be read for information.

Mr. STEWART. I have no objection to its being read for information.

Mr. FORAKER. Then I ask that the bill be read for information.

The PRESIDING OFFICER. The bill will be read for information, in the absence of objection.

Mr. PLATT of Connecticut. I suggest that the bill be read as it will appear if the committee amendments are adopted, if it is to go into the RECORD. That is the only reason why the Senate should be detained for its reading. It is better that the text as proposed to be amended by the committee should appear. I see no objection to that.

Mr. FORAKER. I make that request.

The Secretary proceeded to read the bill and read to section 13.

Mr. COCKRELL. The reading will evidently consume all the time before the expiration of the morning hour, and in order to save the time of the Senate and transact some business, I object to the consideration of the bill.

Mr. FRYE. Is there any objection to the bill being read through?

Mr. COCKRELL. Yes; it is just simply wasting that much time.

Mr. FRYE. It is not proposed, I understand, to put the bill on its passage now, but it is a long bill and it has been very carefully examined. I hope the Senator from Missouri will consent that it may be read through.

Mr. ALLEN. What does the Senator propose to do with the bill after the reading is completed?

Mr. FORAKER. I asked unanimous consent that the bill might be now considered and put on its passage. That was objected to; and then I asked unanimous consent that the bill might be read at this time for information. At some time or other I supposed the bill would have to be read.

Mr. ALDRICH. It will accomplish the purpose of the Senator from Ohio to have it printed in the RECORD, if that is all.

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

Mr. ALLEN. Is it intended that this shall be the first formal reading of the bill?

Mr. FORAKER. I understand that it will not be necessary to read the bill at length again when I would call it up, it having been read through now.

Mr. ALLEN. I think a bill of such importance ought to be read when it is called up for consideration.

Mr. FORAKER. That might be, but I am speaking of what I understand to be the rule of the Senate governing such matters. Necessarily it would not have to be read again when it is put on its passage, but any Senator could call attention to any provision in it that he might want to have specially considered.

Mr. ALLEN. The Senator from Missouri [Mr. COCKRELL] was called from his seat for a moment and I renew his objection to the present consideration of the bill. That is, I do not care anything about having it read through, but I do not want this to be considered as the formal reading.

Mr. FORAKER. All I ask is that it may be read through.

Mr. ALLEN. It is a reading for information?

Mr. FRYE. That is all.

The PRESIDING OFFICER. That was the order.

Mr. FORAKER. I asked that that might be done because some Senators said they had not read it, and I understood that the reading would save time.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 94) to provide for the Twelfth and subsequent censuses.

Mr. CARTER. I ask that that bill for the time being be laid aside.

The PRESIDING OFFICER. The Senator from Montana asks that the bill be laid aside for the present.

Mr. HOAR. What was the request?

Mr. VEST. I move that the Senate proceed to the consideration of—

Mr. FRYE. Will the Senator from Missouri delay his motion until the bill can be read through? It will take but a few minutes longer.

Mr. FORAKER. Or, if it will answer the same purpose, may we not act on the suggestion of the Senator from Rhode Island [Mr. ALDRICH] and have the bill printed in the RECORD?

Mr. MORRILL. The bill had better be read.

Mr. FORAKER. It had better be read, Senators suggest. I hope the Senator from Missouri will allow the reading to be completed. It will take only a few minutes longer.

Mr. VEST. I have no objection.

The PRESIDING OFFICER. Does the Chair understand the Senator from Ohio to make that request?

Mr. FORAKER. I make that request.

Mr. ALLEN. I shall not object to that if it is distinctly understood that it is not the first formal reading of the bill for the purpose of its passage.

Mr. VEST. I understand that the bill is simply being read now for information.

Mr. ALLEN. If the bill is being read simply for information, and when the bill is called up it shall take the ordinary course of a bill that had not been called up before or that had not been read, I am willing that the reading shall be concluded.

Mr. FORAKER. I have not the slightest objection to the bill being read as often as Senators may desire to have it read, but I supposed that when we were devoting all this time to it that it would not be necessary to have it read at length again.

Mr. ALLEN. The Senator will understand very readily that some morning when no particular attention is being paid to the Calendar the bill could be called up and after its title was read it could be put upon its passage, and by that means its provisions would escape the attention of many Senators here.

Mr. FORAKER. There is no such desire as that. I shall not have the slightest objection to the bill being read again when it is called up for consideration, but I hope the reading will now be concluded.

Mr. ALLEN. I object to the formal reading of the bill for its consideration. I do not object to its being read for information.

Mr. FORAKER. It is not being read now for consideration.

Mr. ALLEN. It being held that the reading for information is not the first formal reading of the bill for its passage, I do not object to the reading at this time.

The PRESIDING OFFICER. The Chair awaits the pleasure of the Senate. The bill was being read in pursuance of the request of the Senator from Ohio.

Mr. ALLEN. Let it be printed in the RECORD.

Mr. FORAKER. I have no objection to that course. It is suggested by Senators who object to the further reading of the bill at this time that the same purpose will be subserved by having the bill printed at length in the RECORD, and I am perfectly agreeable to that suggestion. I was having the bill read upon the theory that we were not wasting time, but saving it, and that it would not be necessary to read it at length again.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that the bill shall be printed in the RECORD and that the further reading may be dispensed with. Is there objection? The Chair hears none, and it will be so ordered.

Mr. FORAKER. Let it be printed in the RECORD with the amendments reported by the committee.

The PRESIDING OFFICER. It will be so ordered.

The bill (S. 3414) to carry into effect the recommendations of the International American Conference by the incorporation of the International American Bank, as reported with amendments from the Committee on Foreign Relations, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That T. Jefferson Coolidge, of Massachusetts; Henry W. Cannon, of New York; Samuel Hill, of Minnesota; Theodore C. Search, of Pennsylvania; John J. Mitchell, of Illinois; William Barbour, of New Jersey; John Cassels, of District of Columbia; Edward J. Berwind, of New York; John I. Waterbury, of New Jersey; Charles R. Flint, of New York; Grant B. Schley, of New York, and William H. T. Hughes, of New York, be, and they are hereby, designated commissioners to receive subscriptions to the capital stock of a corporation to be known as the International American Bank, and to exercise such other powers and perform such other duties as are by the terms of this act imposed upon them.

SEC. 2. That the persons hereinbefore named as commissioners, a majority of whom shall constitute a quorum for the transaction of business, shall meet at the city of Washington, in the District of Columbia, within sixty days after the passage of this act, and shall then organize as a board by the election of a chairman, secretary, and treasurer, and shall require the treasurer to give bond for the faithful performance of his duties and for the accounting of all moneys received by him, and shall establish such rules prescribing the duties of such officers and other agents as may be required. The said commissioners shall thereafter open or cause to be opened books of subscription to the capital stock of said corporation in accordance with the terms of this act, and shall place such books, for the purpose of receiving such subscriptions, in the city of Washington, in the city of New York, and in any other cities within the United States which they may designate; and for the purpose of opening such books and receiving subscriptions for such stock, in accordance with the terms hereof, the said commissioners are authorized to appoint any such subordinate agents in such cities as may be required. Such subscription books shall be so arranged that each subscriber shall write thereon his name, place of residence, the number of shares of the par value of \$100 each for which he subscribes, and the total par value of such shares, and he shall deposit in lawful money 10 per cent of the par value of the shares so subscribed for with the persons receiving such subscriptions, who shall, in a separate column, write the amount of cash so received from each subscriber by reason of such subscription, at the time of the making thereof, in accordance with the terms and provisions of this act. As soon as 50,000 shares of the capital stock of the said company shall have been subscribed for, the said commissioners shall notify the subscribers therefor to pay in within thirty days after the giving of such notice, 15 per cent of the amount of their subscriptions, respectively, in addition to the 10 per cent paid when such subscriptions were made. Such notice shall be given by mailing to each subscriber, at the place of residence designated by him at the time of making such subscription, a notice specifying the amount of such 15 per cent and the number of shares subscribed for by each subscriber, respec-

tively, and requiring the payment to be made to the treasurer of the said commissioners at a place to be designated in said notice. When and as soon as 50,000 shares of the capital stock of said company shall have been actually subscribed for and 25 per cent thereof paid in by such subscribers ratably, as required by the terms of this act, the chairman and secretary of the board of commissioners hereby created shall appoint a time and place for the first meeting of the subscribers to the capital stock of said corporation, and shall give notice thereof by publication in at least two daily newspapers in each of the cities of Washington and New York for at least sixty days, and at least forty days previous to the day of such meeting shall also send notices by mail to each of the subscribers to said stock at the place of residence designated by him upon the subscription book signed by him. The president of the said board of commissioners shall attend at such meeting, call the same to order, and produce to said meeting the original subscription books for said stock; and if it shall appear from the said subscription books that the subscriptions to the capital stock of said company exceed 50,000 shares, it shall be the duty of said board of commissioners to distribute the full number of shares authorized to and among the subscribers therefor in proportion to their respective subscriptions, and thereupon the persons appearing under such distribution to be subscribers for said stock shall participate in and be entitled to vote at said meeting, each one of such subscribers being entitled to cast one vote on each share of stock allotted to him. The said meeting shall select its own chairman, secretary, and tellers. Subscribers for a majority of the whole number of shares subscribed shall be present in order to constitute a quorum for the transaction of the business of the said meeting. If less than a quorum appear at the time and place specified in said notice, such meeting may adjourn from day to day until a quorum attends. After the organization of such meeting, which may be continued by adjournments, those present shall proceed to the election of directors of said bank to serve for the first year, and to the passage of by-laws for the government thereof, and shall transact no further business.

SEC. 3. That it shall be the duty of the officers elected at such meeting to deliver to the president and secretary of the commissioners hereby appointed duplicate copies of the proceedings of such meeting; said president and secretary shall retain one of such copies and shall transmit the other of such copies to the Comptroller of the Currency of the United States, whose duty it shall be to forthwith examine the same, and in the event that the same shall be found to be correct in form and to contain no provisions in conflict with the provisions of this act or other laws of the United States, to so certify to the said board of commissioners; and upon the receiving of such certificate from the Comptroller of the Currency it shall be the duty of the said commissioners to deliver over to the board of directors elected at such meeting the books containing the subscriptions for said stock, all cash which may have been received by said commissioners upon the subscriptions for said stock, together with a detailed statement of their expenses in the performance of all their proceedings under this act, and of all other records and papers pertaining thereto; and upon the surrender of such books and papers and payment of such money the said directors shall pay to the treasurer of said commissioners the amount of such expenses as shown by such statement directed to be furnished to them by the said commissioners. In the event of any dispute as to any or all the items of such expenditures the same shall be submitted to the Comptroller of the Currency, and the amount certified by him to the said directors shall forthwith be paid out of the funds collected and paid over by the said commissioners, or out of any other funds which may come to the hands of the said directors as the property of said corporation. Upon delivery of said papers, books, and records, and payment of said money, the duties of said commissioners and their powers under this act shall cease and determine. They shall receive for the performance thereof no compensation.

SEC. 4. That the capital stock of the corporation hereby authorized shall be fixed at \$5,000,000, divided into shares of the par value of \$100 each. Such shares shall be deemed personal property, and shall be transferred upon the books of the corporation in such manner as may be prescribed by the by-laws. The capital of said bank may, at any time after the completion of its organization as above provided, be increased, with the approval of the Comptroller of the Currency, to any sum not exceeding the sum of \$25,000,000. Such increase shall be authorized by a resolution passed at any regular meeting of the board of directors by the votes of two-thirds of the members of that body, and thereafter submitted to the next regular meeting of the stockholders, or to a special meeting called for that purpose, and by such meeting adopted and approved by a vote of stockholders representing two-thirds of the capital stock. But no such increase of capital stock shall be valid until the whole amount of such increase is paid in and the Comptroller of the Currency duly notified thereof and his certificate obtained specifying the amount of the increase of capital stock, with his approval thereof, and that it has been duly paid in as a part of the capital stock of this bank. The capital stock of said bank may at any time after the completion of its organization be reduced, with the approval of the Comptroller of the Currency, to any sum not below \$5,000,000. Such reduction shall be authorized by a resolution passed at any regular meeting of the board of directors by the votes of two-thirds of the members of that body, and thereafter submitted to the next regular meeting of the stockholders, or to a special meeting called for that purpose, and by such meeting adopted and approved by a vote of stockholders representing two-thirds of the capital stock; but no such reduction of capital stock shall be valid until the Comptroller of the Currency has been duly notified thereof and his certificate obtained, specifying the amount of the reduction and his approval thereof, with the amount of capital stock after said reduction. But no change shall be made in the capital stock of this bank by which the rights, remedies, or security of the existing creditors of the association shall be impaired.

SEC. 5. That subscriptions to the capital stock of said company, as above provided, or to any additional stock that may be hereafter authorized, shall not be received by the said commissioners or accepted by the officers of said corporation after the same shall be organized, unless accompanied at the time of each subscription with a payment in cash of 10 per cent of the amount thereof; and the said commissioners, in determining whether 50,000 shares of the said stock have been actually subscribed for the purpose of calling the subscribers' meeting, as above provided, shall not consider or count as part of said 50,000 shares required to be subscribed any subscription which was not accompanied by the payment in cash of 10 per cent of its face value at the time it was made.

SEC. 6. That in case the subscriptions to any additional stock authorized after the organization of said corporation shall at any time exceed the amount of additional stock at that time authorized to be issued, the board of directors of the said corporation shall distribute the full number of shares authorized at the time of such distribution, and not issued, to and among the subscribers therefor, in proportion to their respective subscriptions.

SEC. 7. That as soon as 50,000 shares of the capital stock shall have been subscribed for in the manner hereinbefore provided, and the certificate of the Comptroller of the Currency referred to in section 3 of this act has been executed, the persons so subscribing, and all persons who shall or may be associated with them or their successors, shall forthwith become a body corporate by and under the name of The International American Bank, and by

that name shall have corporate existence for the term of fifty years, and shall have power—

First. To adopt and use a corporate seal and to issue certificates of stock as herein provided.

Second. To have succession for fifty years from the period of its organization, unless it is sooner dissolved by the act of its stockholders or by operation of law, or unless its franchise becomes forfeited by some violation of law.

Third. To make contracts.

Fourth. To sue and be sued, complain and defend, in any court of law or equity, as fully as natural persons.

Fifth. To elect or appoint directors; by its board of directors to appoint a president, a vice-president, a cashier, assistant cashier, and other officers; to dismiss such officers or any of them at pleasure, and appoint others to fill their places, and to employ all necessary assistants and employees, either in the United States of America or elsewhere, for the purpose of carrying out the powers hereby granted and transacting the business of said corporation; to fix the compensation of all such assistants and employees and change the same from time to time as may be deemed necessary, and to dismiss them or any of them at pleasure, and to appoint others to fill their places.

Sixth. To adopt by-laws, not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors elected or appointed, its officers appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed, fixing the salaries, duties, and powers of its said officers, and prescribing the penalty of bonds to be given by them, which by-laws, except so far as they fix the salaries or bonds of such officers, may be amended by the board of directors, such amendment, however, to cease to be valid and effectual for any purpose after any meeting of the stockholders next succeeding the adoption of such amendment unless the same shall be ratified by such meeting by the vote of stockholders representing a majority of the stock of the bank.

Seventh. To act as the financial agent of any nation, government, state, municipality, corporation, or person, and to perform any and all acts and duties not inconsistent with law that it may undertake and assume as such financial agent, including the sale, exchange, or other disposition of any bonds or other evidences of indebtedness issued by any such government, state, municipality, corporation, or person, and to act as trustee in any mortgage given to secure such bonds, and to countersign the same as trustee.

Eighth. To carry on the business of banking by discounting and negotiating promissory notes, bills of exchange, drafts, and other evidences of debt; to receive deposits; to buy and sell exchange, coin, and bullion; to issue letters of credit to the order of the person therein named, and to loan money on personal security, subject to the limits hereinafter imposed; and to borrow money for use in its business in an amount not exceeding 50 per cent of its paid-up capital stock.

Ninth. To acquire, purchase, hold, and convey real estate for the following purposes, and for no others: (a) Such as shall be necessary for its immediate accommodation in the transaction of its business. (b) Such as shall be mortgaged to it in good faith as security for debts previously contracted. (c) Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings. (d) Such as it shall purchase at sales under judgments, decrees, or mortgages held by it or shall purchase to secure debts due to it. But it shall not hold or be entitled to retain possession of any real estate purchased by it under either of the last three preceding clauses of this section for a longer period than five years.

Tenth. All such incidental powers as shall be necessary to carry on the business of banking under the provisions and terms and for the purposes of this act, including the power to purchase and hold shares of the capital stock of any foreign corporation authorized to transact banking business in foreign countries.

Eleventh. The corporation hereby created shall not have the power and shall not issue notes or obligations in any form to be used and circulated as money, nor shall it make any loan or discount to any person upon the security of shares of its own capital stock; nor shall it purchase or hold any such shares unless it shall purchase the same to prevent loss upon a debt previously contracted with it in good faith, and it shall not hold any stock so purchased or acquired for a longer period than six months from the time of acquiring the same; but it shall be the duty of the board of directors to sell and dispose of all such stock at public or private sale within the period of six months from the time of acquiring the same.

SEC. 8. That the said corporation shall not exercise any of the above powers and shall not transact any business, except such as is preliminary to its organization, until authorized by the Comptroller of the Currency to commence the business of banking, as hereinafter provided.

SEC. 9. That within ten days after the commissioners to receive subscriptions to its stock shall have transferred to the directors of said corporation the subscription books, records, and money received by said commissioners, the president, cashier, and five directors of the corporation hereby created shall make a statement, under oath, and file the same with the Comptroller of the Currency, showing the number of shares of the capital stock subscribed, the amount of cash paid in on such subscriptions, and the amount in the hands of the board of directors at the time of the making of such statement, and the names and residences of all subscribers to said capital stock, and the number of shares subscribed for by each of them; whereupon, if it shall appear from such statement that the amount of 50,000 shares of the capital stock of said company has been subscribed, and that 25 per cent of the amount of such subscriptions has in each case been paid in and received by said board of directors, the Comptroller of the Currency shall issue to said corporation a final certificate, setting forth that the said capital of 50,000 shares having been subscribed for, and the amount prescribed herein having been paid in thereon, the said corporation is authorized and empowered to commence business, and to exercise all powers and authority herein and hereby granted; and the said corporation shall cause such final certificate issued as is provided in this section to be published in some newspaper of general circulation published in the city of Washington for at least sixty days next after the issuing thereof; and the date of said final certificate shall be held to be the date or period of the organization of said corporation.

SEC. 10. That the entire subscription for the capital stock of said company, to the amount of 50,000 shares, shall be called and fully paid in within two years from the date of the granting of the certificate by the said Comptroller, as above provided, and at the times and in installments as follows: Twenty-five per cent as hereinbefore provided in section 2; 25 per cent within twelve months; 25 per cent within eighteen months, and 25 per cent within twenty-four months after the date of organization. The president and cashier shall report, under oath, to the Comptroller of the Currency the passage of every resolution of the directors calling for the payment of any installment, within five days after it shall be passed, and shall also report to him, within five days after the date fixed by each resolution for the payment of any installment, what amounts have been received upon each of such calls.

SEC. 11. That the principal office and place of business of said corporation shall be in the city of Washington, D. C., or in the city of New York, in the State of New York, as the board of directors shall determine; and the directors shall have power to open such additional branch offices in the United States, not exceeding eight at any one time, at points to be approved by the Comptroller of the Currency, as may be necessary to carry on its business, and to discontinue any of such branch offices when the same, in the opinion

of the directors, shall no longer be necessary for the business of the corporation. The directors shall also, within two years after the commencement of the existence of said corporation, open one such branch office in Mexico, one in the West Indies, and two in South America, at such points as the directors shall determine, for the regular sale of bills of exchange drawn upon the principal office of the company, and for the transaction of such other classes of business as the directors may designate; and from and after the establishment of each of such branch offices the said corporation shall regularly sell bills of exchange at its principal office, drawn upon the said branch offices. The directors shall also have power from time to time to open such other branch offices in Mexico, the West Indies, South and Central America as they may determine, and to discontinue any such branch office which, in the opinion of the directors, may no longer be necessary for the business of the company, but not so as to reduce the number of branch offices for the regular sale of exchange, as aforesaid, below that originally required to be established.

SEC. 12. That the affairs of the corporation shall be managed by a board of twenty-five directors, who shall hold office until their successors are duly elected and qualified. Each director must, so long as he shall hold or be entitled to hold office, be the owner in his own right of not less than 100 shares of the capital stock of said corporation, the same not being hypothecated or in any way pledged as security for the payment of any loan or debt; and any director who shall cease to be the owner, as aforesaid, of 100 shares of the capital stock, or who becomes in any other manner disqualified, shall thereby vacate his office. Not less than fifteen of the directors shall be citizens of the United States. Any vacancy in the board of directors caused by death, resignation, or otherwise shall be filled until the next ensuing election by an appointment by the remaining directors. Each director, when elected or appointed, shall take an oath that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of the corporation, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the owner in good faith and in his own right of the number of shares required by this act, and that the same is not hypothecated or in any way pledged as security for any loan or debt. Such oath, and any other oath required by this act, may be taken before any officer who is authorized to administer oaths by the laws of the United States or by the laws of the State, Territory, or District where the oath may be administered; and when taken in any foreign country any such oath may be administered by a diplomatic or consular representative of the United States and shall be forthwith filed with the Comptroller of the Currency.

SEC. 13. That there shall be called and held annually, on such day and in such manner as the by-laws may provide, a meeting of the stockholders of the corporation for the election of directors and the ordering of the business and affairs of the corporation generally. If from any cause an election is not made at the time appointed, an election may be held on any subsequent day; but thirty days' notice thereof shall be given in a newspaper published in the city of Washington and in a newspaper published in the city of New York, and also in a newspaper published in any other city where any branch of said bank may be located. At any such meeting, and in all meetings of stockholders, each stockholder shall be entitled to one vote on each share of stock held by him and standing in his name on the books of the company at least thirty days before the day of such meeting. In all elections of directors and in deciding all questions under consideration stockholders may vote by proxies, duly authorized in writing; but no vote shall be allowed on any share on which there is any installment or assessment due and unpaid, in whole or in part.

SEC. 14. That the president and cashier of said corporation shall cause to be kept at all times, in a book to be provided for that purpose, a full and correct list of the names and residences of the stockholders of the corporation and the number of shares held by each, which said list shall be filed at the principal place of business of said corporation and at each of its branch offices. Such lists shall be subject to the inspection of the stockholders of the corporation and the officers authorized to assess taxes under State authority during the business hours of each day in which business may be legally transacted, and a copy of such list, on July 1 of each year, verified by the oath of the president or cashier, shall be transmitted to the Comptroller of the Currency. No entry of the transfer of any share of stock shall be made upon the books of said company within thirty days before any annual meeting of the stockholders.

SEC. 15. That the stockholders of the corporation shall be held individually responsible, equally and ratably, and not one for another, for the contracts, debts, and engagements of said corporation to the extent of their stock therein, at the par value thereof, in addition to the amount invested in such shares. Whenever any stockholder or his assignee fails to pay any installment on the stock when the same is required under the provisions of this act to be paid, the directors of the corporation may sell the stock of such delinquent stockholder at public auction to any person who will pay the highest price therefor, to be not less than the amount then due thereon, with the expenses of advertisement and sale, and the excess, if any, shall be paid to the delinquent stockholder. Thirty days' previous notice of such sale shall be given in a daily newspaper published and of general circulation in the city of New York, and by mailing to such delinquent stockholder at his place of residence a written or printed notice stating names of such delinquent stockholders, number of shares in name of each to be offered for sale, the amount due and unpaid on such shares, and the time and place of sale. If no bidder can be found who will pay for such stock the amount due thereon to the corporation and the cost of advertisement and sale, the amount previously paid shall be forfeited to the corporation, and such stock shall be sold as the directors may order within six months from the time of such forfeiture, and if not sold it shall be canceled and deducted from the capital stock of the corporation. If any such cancellation and reduction shall reduce the capital of the corporation below the minimum of capital required by this act, the capital stock shall, within thirty days from the date of such cancellation, be increased to the required amount, in default of which a receiver may be appointed to close up the business of the corporation.

SEC. 16. That if at any time it shall appear to the Comptroller of the Currency that the capital stock of the corporation is impaired, he may notify the directors of the said corporation to cause such impairment to be made good, by assessment upon the stockholders, as hereinafter provided; and if, within ninety days from the date of said notice, the capital shall be still impaired, the said Comptroller may, in his discretion, notify the directors that no further business can be done by said corporation until said capital is made good; and if said requirement to make good such impairment be not complied with within ninety days from the date of the second notice, he may appoint a receiver for the said corporation, who shall, under his direction, proceed to wind up its affairs; and a receiver may be appointed in like manner in case the corporation shall at any time become insolvent. Such receiver shall take possession of the books, records, and assets of every description of such association, collect all debts, dues, and claims belonging to it, and upon the order of a United States court of competent jurisdiction may sell or compound all bad or doubtful debts, and, on a like order, may sell all the assets of the corporation on such terms as the court shall direct, and may, if necessary to pay the debts of the association, enforce the individual liability of the stockholders. Such receiver shall pay over all moneys so made to the Treasurer of the United States, subject to the order of the Comptroller of the

Currency, and shall also make a report to the Comptroller of all his acts and proceedings. From time to time the said Comptroller shall make a ratable dividend of the moneys so paid over to him by such receiver on all such claims as may have been proven to his satisfaction or adjudicated in a court of competent jurisdiction, and as the proceeds of the assets of such association are paid over to him shall make further dividends on all claims previously proven or adjudicated, and the remainder of the assets, if any, shall be paid over to the stockholders of such association, or their legal representatives, in proportion to the stock by them, respectively, held.

SEC. 17. That if any stockholder or stockholders of the corporation shall neglect or refuse, after ninety days' notice, to pay the assessment as provided for in the foregoing section, it shall be the duty of the board of directors to cause a sufficient amount of his or their stock to be sold at public auction to pay the same. Thirty days' notice of such sale shall be given by publication in a newspaper published in the city in which the principal place of business of the corporation is located, and in a newspaper published in every city or town in which any branch office of the corporation is located, and by mailing notice as provided in section 15, and the balance of the proceeds of such sale, after paying the amount of such assessment and expenses of sale, shall revert to the owners of the stock so sold.

SEC. 18. That persons holding stock in such corporation as executors, administrators, guardians, or trustees shall not be personally subject to any liabilities as stockholders, but the estates and funds in their hands shall be liable in like manner and to the same extent as the testator, intestate, ward, or person interested in such funds would be if living or competent to act and hold the stock in his, her, or their own name.

SEC. 19. That the corporation shall make to the Comptroller of the Currency not less than five reports during each year, according to the form which may be prescribed by him, verified by the oath or affirmation of the president or cashier thereof, and attested by the signature of at least five of the directors. Each such report shall exhibit in detail, and under appropriate heads, the resources and liabilities of the corporation at the close of business on any past day specified by the Comptroller, and each branch shall transmit its report to the principal office within five days after the receipt of the request or requisition from the Comptroller, and the principal office shall transmit the consolidated report of the bank to the Comptroller within five days after the receipt of the reports from the various branches, and in the same form in which it is made to the Comptroller it shall be published in one newspaper in the city of Washington, in one newspaper in the city of New York, and in at least one newspaper in each city in which the said corporation shall have a branch office, and such proof of publication shall be furnished as may be required by the Comptroller. The Comptroller shall also have power to call for special reports whenever the same, in his judgment, are necessary to a full and complete knowledge of the condition of the corporation. The corporation shall also report to the Comptroller of the Currency, within ten days after declaring any dividend, the amount of such dividend and the amount of net earnings in excess of such dividend. Such reports shall be attested by the oath of the president or cashier of the corporation.

SEC. 20. That the Comptroller of the Currency, with the approval of the Secretary of the Treasury, shall, as often as shall be deemed necessary and proper, appoint a suitable person or persons to make an examination of the affairs of the corporation, who shall have power to make a thorough examination thereof, and in doing so to examine any of the officers or agents thereof on oath, and shall make to the Comptroller a full and detailed report of the condition of the corporation and the results of such examination. Any person or persons so appointed to make such examination shall receive such compensation as may be fixed by the Comptroller of the Currency, with the approval of the Secretary of the Treasury, which compensation shall be collected from the said corporation by the Comptroller and by him paid to such person or persons.

SEC. 21. That no dividends shall at any time be declared or paid upon the stock of the said corporation unless at the time of the declaration of the same there shall be undivided profits made in the business of said corporation actually in cash in the hands of its treasurer to an amount at least equal to the amount of such dividend. All such dividends shall be declared upon the outstanding shares of stock of said corporation equally in favor of such persons as appear at the date of the declaration of such dividend upon the books of said company to be stockholders therein, and shall be payable at a time to be fixed in such resolution, and in a manner and at a place provided by the by-laws of said corporation. But said corporation shall, before the declaration of a dividend, carry one-tenth part of its net profits of the preceding half year to its surplus fund until the same shall amount to 50 per cent of its capital stock.

SEC. 22. That said corporation and each and every branch thereof shall at all times have and keep on hand in lawful money of the United States an amount equal to at least 25 per cent of the aggregate amount of its deposits, which must be shown in the reports to the Comptroller hereinbefore provided for in section 19.

SEC. 23. That no tax shall be imposed upon the property of said corporation, except upon real estate held by it, by any State, municipal, or other authority within the United States; but the several stockholders shall be liable to assessment and taxation upon the shares held by them at their respective places of residence according to the true value thereof, and to the same extent and in the same manner as other personal property is there assessed and taxed.

SEC. 24. That the Government of the United States shall not be, and shall not be assumed to be, responsible for the debts, obligations, contracts, or liabilities of said corporation, or for any claims that may in any manner arise or be asserted against it.

SEC. 25. That if the corporation hereby created or its officers shall fail to make and transmit any report required to be made by this act it shall be subject to the penalty of \$100 for each day after the periods respectively herein mentioned for the making and transmission of such report shall have expired, and all such penalties shall, if not promptly paid, be sued for and recovered in the name of the United States of America in any circuit court of the United States; and it is hereby made the duty of the Attorney-General of the United States, upon the request of the Comptroller of the Currency, to commence and prosecute any and all such actions for the purpose of recovering any and all such penalties. All moneys recovered in any such suit or suits shall be covered into the Treasury of the United States.

SEC. 26. That in case said corporation or its officers shall assume to exercise any power hereby prohibited or denied to said corporation, or shall borrow money in excess of the limit herein established, or shall fail to establish and maintain such branch offices as are required by section 11 of this act, all rights, privileges, and franchises of the said corporation shall be thereby forfeited. Such violation, however, shall be determined and adjudged by the circuit court of the United States, in a suit brought in the name of the people of the United States, before the association shall be declared dissolved, and the Attorney-General of the United States, upon the request of the Comptroller of the Currency, shall commence and prosecute such suit or suits, whenever so requested, in any circuit court of the United States to be selected by him; and when in such suit judgment of the dissolution of the said corporation may be entered a receiver may be appointed for it, and all other proceedings

taken necessary to wind up its affairs and distribute the proceeds of its property as provided in section 16 of this act; and in cases of such violation every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the corporation, its stockholders, or any other person shall have sustained in consequence of such violation.

SEC. 27. That if the said corporation or its officers at any time shall assume to exercise any powers not herein granted, the Comptroller of the Currency is hereby authorized and required to notify said corporation and its officers to desist from such use and to furnish him, within thirty days of the giving of such notice, proof that the said corporation and its officers have ceased to assume the exercise of such powers. Such notice shall be given by the delivery thereof to such officers of said corporation at its principal place of business. If the said corporation shall not furnish, before the expiration of said period of thirty days, satisfactory proof to the said Comptroller that the said corporation and its officers have desisted from the use of any power or powers not granted to it, the rights, privileges, and franchises of the corporation hereby formed shall be thereby forfeited, and such proceedings shall thereafter be taken as are provided in the case of the forfeiture of such rights, privileges, and franchises in the preceding section hereof.

SEC. 28. That any officer of the corporation or any branch thereof who shall violate any of the provisions of this act or neglect to perform any duty herein required of him, and any director who shall knowingly acquiesce in or permit any such violation of this act or neglect of duty, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding \$5,000 and imprisonment not less than one year nor more than five years, or both. Every president, director, cashier, teller, clerk, or other officer or agent of this corporation who embezzles, abstracts, or willfully misapplies any of the moneys, funds, or credits of the corporation; or who, without authority from the directors, issues or puts in circulation any note of the corporation; or who, without such authority, issues or puts forth any certificate of deposit, draws any order or bill of exchange, makes any acceptance, assigns any note, bond, draft, bill of exchange, mortgage, judgment, or decree; or who makes any false entry in any book, report, or statement of the corporation with intent, in either case, to injure or defraud the corporation or any other company, body politic or corporate, or any individual person, or to deceive any officer of the corporation or any agent appointed to examine the affairs of the corporation; and every person who, with like intent, aids or abets any officer, clerk, or agent in any violation of this section shall be deemed guilty of a misdemeanor, and shall be imprisoned not less than five years nor more than ten.

SEC. 29. That the corporation hereby formed may go into liquidation and be closed by and with the written consent of its shareholders owning two-thirds of its stock.

SEC. 30. That whenever stockholders owning two-thirds of the stock of said corporation shall notify the officers thereof in writing of their desire that said corporation shall go into liquidation and be closed it shall be the duty of the board of directors to cause notice of this fact to be certified under the seal of the corporation, by its president or cashier, to the Comptroller of the Currency, and to publish notice thereof for a period of two months immediately after the filing of such consent in a newspaper published in the city of New York, which notice shall state that the said corporation is closed by its officers, and notify its creditors to present their claims against the said corporation for payment; and the existence of the corporation shall continue only for the purpose of closing its affairs. The Comptroller of the Currency, at any time after the corporation has been placed in liquidation by its stockholders, may, upon becoming satisfied of its insolvency, appoint a receiver, who shall wind up its affairs in accordance with the provisions of section 16 of this act. At any time after the expiration of six months from the date of the notice to the creditors of the bank to present their claims for payment the board of directors or any stockholder of said bank may commence suit in any circuit court of the United States for the judicial settlement of the business of the corporation and for the appointment of a receiver of its assets and property; and in any such suit the circuit court of the United States shall have, possess, and use all the powers and authority of courts of equity in such cases.

SEC. 31. That the corporation herein provided for shall be organized and obtain the certificate of organization as hereinbefore provided within two years from and after the passage of this act and not thereafter; and the power to repeal, amend, or alter this act in any and all respects is hereby reserved.

SEC. 32. That this act shall take effect immediately.

Mr. ALLEN subsequently said: I enter a motion to refer Senate bill 3414 to the Committee on Finance.

The PRESIDING OFFICER. The motion will be entered.

QUARANTINE REGULATIONS.

Mr. MARTIN. I ask unanimous consent for the present consideration of Senate bill 1776.

Mr. VEST. If the Senator from Virginia will permit me to submit my motion, I move to take up the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893. Then the bill can be laid aside for the present until the bill which the Senator from Virginia wishes to have considered is disposed of. I simply want to give the bill the right of way.

Mr. SPOONER. I have no objection to the bill being made the unfinished business, if that is the desire of the Senator from Missouri, but I introduced some time ago a bill upon the same subject, only broader upon the lines on which it would operate, and I desire to be present when the bill is taken up. I shall have to be absent to-morrow. I should like to have an understanding with my friend that the bill shall not be taken up until Wednesday or Thursday.

Mr. VEST. As a matter of course not.

The PRESIDING OFFICER. The Senator from Missouri moves that the Senate proceed to the consideration of the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service." Is there objection? The Chair here none, and it is so ordered.

Mr. VEST. Now, let the bill be laid aside temporarily in order that the Senator from Virginia may have his bill considered.

The PRESIDING OFFICER. It will be so ordered.

MRS. LETITIA TYLER SEMPLE.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "one hundred" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Letitia Tyler Semple, widow of the late James A. Semple, a paymaster of the United States Navy, and daughter of ex-President John Tyler, at the rate of \$30 per month, in lieu of the pension she is now receiving.

Mr. MARTIN. I move to amend the amendment of the committee by striking out "thirty" and inserting "fifty" in lieu thereof; so as to make the pension \$50 a month instead of \$30 a month.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HOAR. I should like to inquire of the Senator from Virginia in what capacity or on what account the pension is to be granted?

Mr. MARTIN. I will state that the applicant is the widow of a soldier of the Mexican war, and she is now on the pension roll, receiving \$8 a month. She is an inmate of the Louise Home, a charitable institution in this city which is known to all—

Mr. HOAR. If the Senator will pardon me, I know very well who the lady is, and I know her great title to respect, of course; but it occurred to me that in the pension legislation of the country it would be better to state in the bill the service of herself or her husband on account of which the pension is granted.

Mr. LINDSAY. The bill contains that.

Mr. HOAR. The bill contains that, I believe.

Mr. MARTIN. It does.

Mr. HOAR. And we should not put in a recital of her special family connection or relationship. It might seem we were taking into consideration those things in granting the pension. That is all.

Mr. MARTIN. This lady, I will state further, is between 78 and 80 years of age. She can enjoy this pension for only a very few years. She is absolutely without means.

Mr. HOAR. I am not making the least objection to the pension. My objection is to the form, not to the substance.

Mr. MARTIN. I have no objection, in order to meet the views of the Senator from Massachusetts, to amend the bill by striking out all reference to her as a daughter of ex-President Tyler.

Mr. HOAR. That is what occurred to me; that it might be a precedent in future cases.

Mr. MARTIN. I move that that language be stricken out. After the word "Navy," in line 6, I move to strike out the words "and daughter of ex-President John Tyler."

The amendment was agreed to.

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

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

LEWIS C. L. SMITH.

Mr. KENNEY. I ask unanimous consent for the present consideration of the bill (S. 3441) to authorize the Secretary of War to remove the charge of desertion and issue to Lewis C. L. Smith, Company D, First Delaware Infantry Volunteers, an honorable discharge.

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

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "Smith," to insert "of Dover, Del., as of date of January 16, 1865;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion standing against Lewis C. L. Smith, late of Company D, First Delaware Infantry Volunteers, and to cause an honorable discharge to be issued to said Lewis C. L. Smith, of Dover, Del., as of date of January 16, 1865.

SEC. 2. That this act shall take effect from and after its approval.

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.

IMPROVEMENT OF ROUGE RIVER, MICHIGAN.

Mr. McMILLAN. I ask unanimous consent to call up the joint resolution (S. R. 105) relative to the appropriation for the Rouge River, Michigan.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It directs the Secretary of War to cause the Rouge River, Michigan, to be

dredged between the Wabash Bridge to Maples Road, with the view of obtaining a 13-foot channel (in accordance with the letter of G. J. Lydecker, lieutenant-colonel, Corps of Engineers, dated November 20, 1897), at an expense not to exceed \$5,000, to be paid out of the appropriation already available for the improvement of that stream.

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

THE PRESIDENTIAL SUCCESSION.

Mr. HOAR. I ask unanimous consent to call up the joint resolution (S. R. 86) proposing an amendment to the Constitution of the United States providing for the succession to the Presidency in a certain contingency.

Mr. FRYE. Is that the joint resolution reported this morning?

Mr. HOAR. It is. My purpose is not, of course, to ask the Senate to deal with so important a subject to-day; but I should like to put upon the RECORD a few statements at some convenient time, and I suppose that this is a time as convenient as any. It will not occupy, I think, five minutes.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the Senate take up the joint resolution indicated by him. The joint resolution as reported from the Committee on the Judiciary this morning will be read.

The SECRETARY. The Committee on the Judiciary report to strike out all after the resolving clause and insert:

That the following amendment to the Constitution of the United States be proposed for ratification by the legislatures in the several States, which, when ratified by legislatures in three-fourths of the United States, shall be valid as a part of the said Constitution, namely:

"ARTICLE XVI.

"The provisions of Article II, clause 5, of the Constitution shall remain in force, and whenever there is no person entitled to discharge the duties of the office of the President, the same shall devolve upon the Vice-President. The Congress may by law provide for the case where there is no person entitled to hold the office of President or Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability shall be removed or a President shall be elected."

Mr. HOAR. I ask to have printed in the RECORD as if it were read a statement prepared by Mr. Albert W. Paine, of Maine. It will be found printed at the end of the joint resolution as originally printed.

The PRESIDING OFFICER. The Senate hears the request of the Senator from Massachusetts. In the absence of objection, it will be considered as agreed to. It is so ordered.

The statement referred to is as follows:

STATEMENT.

The United States Constitution, Article XI, section 1, item 6, provides a remedy for the contingency of the death of President by substituting in his place the Vice-President, and in case both die, then Congress shall provide for the same, and Congress has already made such provision.

But there is no provision in the Constitution to meet the contingency of death of the President-elect after the electors have cast their vote in January, and before his inauguration on 4th of March.

Should such a death occur, there is no provision whereby another President could be elected, and Congress could not supply the deficiency, so that no President could afterwards be legally or constitutionally chosen, the only contingency provided for being that of the death of a President. The person elected by the electors as President does not become such until his inauguration in March afterwards. So that the provision cited does not cover the case, and there being none other, the defect charged really exists and needs an amendment.

How great the danger is is apparent from several considerations.

In the first place, there are nearly two months of time during which the danger exists, from the casting of the electoral vote, in the first part of January, to the 4th of March, during all which time the person elected is exposed to the extra danger arising from the grave responsibility of his position, the immense work cast upon him, and other dangerous features.

Then, again, the danger arising from the work of the assassin in such case is by no means small. Two of the small number of our Presidents have proved this by their death, and to these may be added the death of the late President of France, all three of whom have been victims of the assassin's hate.

Had Lincoln on the way to the capital for his inauguration met the fate which awaited him at Baltimore, no legal President could have ever after existed.

Had Blaine been a successful candidate, as was so generally desired, the same result would have followed, his death having occurred on January 29.

The fact that four of our Presidents have died within a few weeks after their inauguration shows that the position is altogether a dangerous one.

Should an anarchist desire to accomplish his work in the most effectual manner, he could not select a more fitting opportunity than the one now exposed, the result of which would be to produce a state of anarchy, for which there exists no possible legal remedy—just the case for an anarchist's practice.

The Hayes-Tilden case was a bad enough example to put us on our guard against any future repetition, but the country had a legal remedy there which, by the courtesy of the parties, could be properly exercised through the intervention of referees. But the present case is of a different kind, where no such courtesy or reference could be exercised.

No life-insurance company could safely insure the elected candidate's life for the two months in question without a very largely increased premium, if at all.

It is certainly to be hoped that Congress will without delay provide the proper remedy by constitutional amendment to meet the want before the early happening of an occasion occurs which calls for its protection.

The accompanying draft is presented as a proper remedy for the alleged defect, which has been drawn with a great deal of care and mature reflection.

ALBERT W. PAINE.

Mr. HOAR. Mr. President, the original joint resolution introduced by the Senator from Maine [Mr. FRYE] was introduced to meet a difficulty which is very compactly and very clearly stated by Mr. Paine in the statement which the Senator from Maine presented to the Senate, and which has been printed with the joint resolution.

The original Constitution provides only for the death, removal, or inability of the President, and declares that in either of those cases the office shall devolve upon the Vice-President, and that in the case of the death, inability, removal, or resignation, etc., of both officers, Congress may by law provide what officer shall discharge the duties "until the disability be removed, or a President shall be elected." The clear, literal meaning of that is a provision for the cases where there is a President who dies or resigns or becomes disabled, etc., and where there is a Vice-President, so that if after the election of President and Vice-President before the new term begins, and before the qualification of either or both, the President dies, there is no constitutional provision for anybody to succeed him, and if both the President and Vice-President die, there is no constitutional power lodged in Congress to provide for the emergency.

This joint resolution, introduced by my honorable friend from Maine and prepared by his constituent, as I understand, is intended to meet that case; but the committee find two difficulties with it: First, it provides for the disability, death, etc., of the person elected President and the same for the person elected Vice-President, but there is no provision in it for the case of a failure to elect either or both of those officers. The failure of an election very nearly happened in the case of the great contest between Aaron Burr and Thomas Jefferson, and it may very well, in our political habit of having three or more political parties, be expected to occur again. So the joint resolution as proposed was insufficient in not providing for that case.

There is another objection to it, Mr. President, which is that the method of accomplishing the result proposed in the joint resolution is to strike out and insert, and it makes the proposed amendment a substitute for the sixth article of the existing Constitution. Our fathers who founded the Constitution, when the first eleven amendments were proposed, considered very carefully the proper method of making amendments to the Constitution. They concluded that the best method was to let the old Constitution stand intact and to make amendments as distinct and separate articles. There was a very interesting debate on that subject when Mr. Madison's committee reported, which took place in the First Congress in the House of Representatives, a part of which I shall read.

Mr. FRYE. Will the Senator state where he finds the debate to which he refers?

Mr. HOAR. The book I have before me is *The Life of Roger Sherman*; but the debate is found entire in the *Annals of Congress*, first session. I will read a few of the arguments:

August 13. The first article of the amendments proposed ran thus: "In the introductory paragraph of the Constitution, before the words 'We the people,' add 'Government being intended for the benefit of the people, and the rightful establishment thereof being derived from their authority alone.'"

Mr. SHERMAN. I believe, Mr. Chairman, this is not the proper mode of amending the Constitution. We ought not to interweave our propositions into the work itself, because it will be destructive of the whole fabric. We might as well endeavor to mix brass, iron, and clay as to incorporate such heterogeneous articles, the one contradictory to the other. Its absurdity will be discovered by comparing it with a law. Would any legislature endeavor to introduce into a former act a subsequent amendment and let them stand so connected?

We do that now a good deal. I think it is a vicious practice, but it has become established.

When an alteration is made in an act, it is done by way of supplement, the latter act always repealing the former in every specified case of difference.

Besides this, sir, it is questionable whether we have the right to propose amendments in this way. The Constitution is the act of the people and ought to remain entire; but the amendments will be the act of the State governments. Again, all the authority we possess is derived from that instrument. If we mean to destroy the whole and establish a new Constitution, we remove the basis on which we mean to build. For these reasons I will move to strike out that paragraph and substitute another.

The paragraph proposed was to the following effect:

"Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the following articles be proposed as amendments to the Constitution, and when ratified by three-fourths of the State legislatures shall become valid to all intents and purposes as part of the same."

Under this title the amendments might come in nearly as stated in the report, only varying the phraseology so as to accommodate them to a supplementary form.

Mr. GERRY said that this was a dispute about form.

Mr. SHERMAN. If I had looked upon this question as mere matter of form, I should not have brought it forward or troubled the committee with such a lengthy discussion. But, sir, I contend that amendments made in the way proposed by the committee are void. No gentleman ever knew an addition, an alteration introduced into existing law, and that any part of such law was left in force; but if it was improved or altered by a supplemental act, the original retained all its validity and importance in every case where the two were not incompatible. But if these observations alone should be thought insufficient to support my motion, I would desire, gentlemen, to consider the authorities upon which the two constitutions are to stand. The original was established by the people at large, by conventions chosen by them for the express purpose. The preamble to the Constitution declares the act; but will it be a truth in ratifying the next constitution, which is to be done perhaps by the State legislatures and not conventions chosen for the purpose? Will gentlemen say it is "we, the people," in this case? Certainly they can

not; for, by the present Constitution, we nor all the legislatures in the Union together do not possess the power of repealing it. All that is granted us by the fifth article is that, whenever we shall think it necessary, we may propose amendments to the Constitution—not that we may propose to repeal the old and substitute a new one.

Gentlemen say it would be convenient to have it in one instrument, that people might see the whole at once; for my part, I view no difficulty on this point. The amendments reported are a declaration of rights; the people are secure in them whether we declare them or not; the last amendment but one provides that the three branches of government shall each exercise its own rights. This is well secured already; and, in short, I do not see that they lessen the force of any article in the Constitution; if so, there can be little more difficulty in comprehending them whether they are combined in one or stand distinct instruments.

Mr. Sherman's motion did not prevail. On August 21 he renewed his motion, and it prevailed by a two-thirds vote.

And that has been the practice ever since.

I shall not, of course, undertake to call up the joint resolution for action until it has been long enough before the Senate to have Senators give it full consideration, but it seems to me, Mr. President, that it is very clear that now is the opportune time to make this constitutional amendment. When the act changing the succession to the Presidency in case of vacancies both in the office of President and Vice-President from the President of the Senate and Speaker of the House of Representatives to members of the Cabinet who have been confirmed by the Senate in the order named in the act, Mr. Paine wrote several letters to me, pointing out that that act was defective in not providing for the case of the death or disability occurring before the inauguration of the two elected officers. I replied to him that his trouble was with the Constitution itself, that the act went as far as the Constitution went, and if the Constitution could by a strained construction be held to provide for the case, the act should have the same construction, but that his true way was to propose, or to have proposed, an amendment to the Constitution at an opportune time, and it seems to me the time is now opportune.

Mr. FRYE. Will the substitute reported by the Senator from Massachusetts meet the contingency suggested by Mr. Paine?

Mr. HOAR. Yes, all the contingencies; and I will add one further statement. The committee thought it best, in order that there should be no claim that the old Constitution was entirely repealed by the new provision on the same subject, to insert in the new amendment which is to be proposed that the provisions of the old Constitution shall continue in force.

BLACK RIVER BRIDGE NEAR POCAHONTAS, ARK.

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

Mr. JONES of Arkansas. I ask the Senator from Pennsylvania to yield to me in order that I may ask unanimous consent of the Senate to take up and have passed a bill providing for the construction of a bridge across a river in the State of Arkansas.

Mr. QUAY. I yield to the Senator from Arkansas.

Mr. JONES of Arkansas. I ask unanimous consent for the present consideration of the bill (S. 3457) to authorize the construction of a bridge over the Black River at or near Pocahontas, Ark.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Commerce with amendments.

The first amendment was, in section 1, line 3, after the word "bridge," to strike out "and Terminal Railway;" so as to make the section read:

That it shall be lawful for the Pocahontas Bridge Company, a corporation duly and legally incorporated under the laws of the State of Arkansas, its successors or assigns, to construct and maintain a bridge over the Black River at or near Pocahontas, in Randolph County, Ark. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, line 22, after the word "bridge," to insert "or the corporation controlling the same;" so as to read:

No bridge shall be erected or maintained under authority of this act which at any time substantially or materially obstructs the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge, or the corporation controlling the same, and in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of said river, caused or alleged to be caused by said bridge, the cause may be brought in the circuit court of the United States for the State of Arkansas, in whose jurisdiction any portion of said obstruction or bridge may be located.

The amendment was agreed to.

The next amendment was, in section 5, line 16, before the word "built," to insert "commenced or;" so as to read:

And until the said plan and location of the bridge are approved by the Secretary of War, the bridge shall not be commenced or built.

The amendment was agreed to.

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

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

MESSAGE FROM THE HOUSE.

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

A bill (S. 1081) authorizing and directing the Secretary of the Interior to quitclaim and release unto Francis Hall and Juriah Hall and their heirs and assigns all the right, title, and interest of the United States in and to the east 20 feet front by the full depth of 100 feet of lot 2, in square 493, in the city of Washington, D. C., as laid down on the original plan or plat of said city;

A bill (S. 2764) for the relief of the heirs of Pom K. Soh, deceased;

A bill (S. 1865) to extend the charter of the Franklin Insurance Company of the city of Washington; and

A joint resolution (S. R. 91) authorizing the Public Printer to use certain Government telegraph poles.

CONSTRUCTION OF REVENUE-CUTTER VESSELS.

Mr. QUAY. I yield to the Senator from Maine [Mr. FRYE], who desires to ask for the consideration of a bill, but give notice that after his bill shall have been disposed of I shall insist upon the motion to go into executive session.

Mr. FRYE. I ask unanimous consent for the consideration of the bill (S. 3033) for the construction of new vessels for the Revenue-Cutter Service.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury to have constructed for the Revenue-Cutter Service eight vessels, as follows: One to take the place of the revenue steamer *Seward*, cost not to exceed \$160,000; one to take the place of the revenue steamer *McLane*, cost not to exceed \$160,000; one to take the place of the revenue steamer *Colfax*, cost not to exceed \$160,000; one to take the place of the revenue steamer *Boutwell*, cost not to exceed \$160,000; one for service on and in the vicinity of the Columbia River Bar, Pacific coast, cost not to exceed \$250,000; one for harbor service at Philadelphia, Pa., to replace the revenue steamer *Washington*, cost not to exceed \$45,000; one for harbor service at Boston, Mass., to replace the revenue steamer *Hamlin*, cost not to exceed \$45,000; one for harbor service at New York, to replace the revenue steamer *Chandler*, cost not to exceed \$45,000.

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

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After sixteen minutes spent in executive session the doors were reopened, and (at 2 o'clock and 54 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 15, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 14, 1898.

SECRETARIES OF EMBASSY.

Herbert H. D. Peirce, of Massachusetts, to be secretary of the embassy of the United States at St. Petersburg, Russia, to fill an original vacancy.

Edgar O. Achorn, of Massachusetts, now secretary of legation, to be second secretary of the embassy of the United States at St. Petersburg, Russia, to fill an original vacancy.

ASSOCIATE JUSTICE, SUPREME COURT OF OKLAHOMA.

B. F. Burwell, of Oklahoma Territory, to be associate justice of the supreme court of the Territory of Oklahoma, vice James R. Keaton, removed.

COLLECTOR OF CUSTOMS.

Edwin Parsons, of Maine, to be collector of customs for the district of Kennebunk, in the State of Maine, to succeed Charles C. Perkins, resigned.

APPRAISER OF MERCHANDISE.

Horace H. Thomas, of Illinois, to be appraiser of merchandise in the district of Chicago, in the State of Illinois, to succeed Frank G. Hoyne, removed.

APPOINTMENTS AND PROMOTIONS IN THE REVENUE SERVICE.

First Asst. Engineer Eugene P. Webber, of Maryland, to be a chief engineer in the Revenue-Cutter Service of the United States.

Second Asst. Engineer John Q. Walton, of New Jersey, to be a first assistant engineer in the Revenue-Cutter Service of the United States, to succeed Eugene P. Webber, promoted.

William G. Blasdel, of California, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Claude S. Cochran, promoted.

Henry G. Fisher, of the District of Columbia, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Percy H. Brereton, promoted.

Henry Ulke, jr., of the District of Columbia, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed James G. Ballinger, promoted.

John V. Wild, of Virginia, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Frederick G. Dodge, promoted.

Walter A. Wiley, of Ohio, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Charles E. Johnston, promoted.

REGISTERS OF THE LAND OFFICE.

George W. Fisher, of Topeka, Kans., to be register of the land office at Topeka, Kans., vice Herman von Langen, whose term will expire April 4, 1898.

John B. West, of Moscow, Idaho, to be register of the land office at Lewiston, Idaho, vice Benjamin F. Morris, term expired.

COMMISSIONER FOR THE DISTRICT OF ALASKA.

Charles A. Sehlbrede, of Roseburg, Oreg., to be a commissioner in and for the district of Alaska, to reside at Dyea, vice John U. Smith, resigned.

POSTMASTERS.

Maury Robinson, to be postmaster at Vacaville, in the county of Solano and State of California, in the place of James M. Miller, whose commission expired March 7, 1898.

J. N. Turrentine, to be postmaster at Escondido, in the county of San Diego and State of California, in the place of Benjamin F. Griffin, whose commission expired March 7, 1898.

William Caruthers, to be postmaster at Norwich, in the county of New London and State of Connecticut, in the place of Stephen H. Hall, whose commission expires March 15, 1898.

Alfred W. Converse, to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut, in the place of James T. Coogan, 2d, whose commission expires March 15, 1898.

George A. Warner, to be postmaster at Bristol, in the county of Hartford and State of Connecticut, in the place of Silas K. Montgomery, whose commission expired March 6, 1898.

James Bell, to be postmaster at Gainesville, in the county of Alachua and State of Florida, in the place of John W. F. King, whose commission expired January 3, 1898.

William E. Burch, to be postmaster at Hawkinsville, in the county of Pulaski and State of Georgia, in the place of William E. Burch, whose commission expires April 17, 1898. (Reappointment.)

Gabriel C. Butts, to be postmaster at Pana, in the county of Christian and State of Illinois, in the place of Thomas J. Downey, whose commission expires March 20, 1898.

Thomas Diller, to be postmaster at Sterling, in the county of Whiteside and State of Illinois, in the place of John R. Johnson, whose commission expires April 7, 1898.

William G. Dustin, to be postmaster at Dwight, in the county of Livingston and State of Illinois, in the place of James Kelagher, whose commission expired March 6, 1898.

W. M. Goudy, to be postmaster at Fairfield, in the county of Wayne and State of Illinois, in the place of Adam Rinard, whose commission expired October 20, 1897.

Watson D. Morlan, to be postmaster at Walnut, in the county of Bureau and State of Illinois, in the place of Lewis K. Thompson, resigned.

Alfred R. Wilcox, to be postmaster at Minonk, in the county of Woodford and State of Illinois, in the place of C. M. Golden, whose commission expired March 6, 1898.

John P. Williams, to be postmaster at Salem, in the county of Marion and State of Illinois, in the place of H. C. Feltman, whose commission expired November 1, 1897.

Louis L. Burke, to be postmaster at Brookville, in the county of Franklin and State of Indiana, in the place of George F. Ritze, whose commission expires April 5, 1898.

William E. Downs, to be postmaster at Edinburg, in the county of Johnson and State of Indiana, in the place of Frank M. Cut-singer, whose commission expires April 18, 1898.

John Q. Knox, to be postmaster at Albion, in the county of Noble and State of Indiana, in the place of William H. McEwen, whose commission expires April 18, 1898.

C. A. Lisle, to be postmaster at Clarinda, in the county of Page and State of Iowa, in the place of Roy H. Chamberlain, whose commission expired February 14, 1898.

Willis S. Gardner, to be postmaster at Clinton, in the county of Clinton and State of Iowa, in the place of A. L. Schuyler, whose commission expired January 31, 1898.

Paul Maclean, to be postmaster at Creston, in the county of

Union and State of Iowa, in the place of Thomas J. Davis, whose commission expires March 19, 1898.

William T. McElroy, to be postmaster at Humboldt, in the county of Allen and State of Kansas, in the place of Stephen A. D. Cox, whose commission expired February 27, 1898.

Channel P. Townsley, to be postmaster at Great Bend, in the county of Barton and State of Kansas, in the place of W. E. Stoke, resigned.

W. H. Yarcho, to be postmaster at Pittsburg, in the county of Crawford and State of Kansas, in the place of Charles A. Patmor, whose commission expired March 6, 1898.

Davis P. Gray, to be postmaster at Whitinsville in the county of Worcester and State of Massachusetts, in the place of Thomas F. Gorman, whose commission expired March 6, 1898.

Clayton L. Bailey, to be postmaster at Mancelona, in the county of Antrim and State of Michigan, in the place of Warren E. Watson, removed.

Charles W. Browne, to be postmaster at Mason, in the county of Ingham and State of Michigan, in the place of Morris A. Beament, whose commission expires March 14, 1898.

John E. Crawford, to be postmaster at Milford, in the county of Oakland and State of Michigan, in the place of Thomas Thornhill, jr., whose commission expires March 14, 1898.

George W. Dennis, to be postmaster at Leslie, in the county of Ingham and State of Michigan, in the place of Alfred Young, whose commission expired March 1, 1898.

W. P. McCoy, to be postmaster at Mendon, in the county of St. Joseph and State of Michigan, in the place of L. G. Clapp, whose commission expires March 14, 1898.

William H. Stark, to be postmaster at Vassar, in the county of Tuscola and State of Michigan, in the place of John H. Bourns, whose commission expires March 14, 1898.

Andrew Sutherland, 2d, to be postmaster at Oxford, in the county of Oakland and State of Michigan, in the place of Alfred Hagerman, whose commission expires March 14, 1898.

William F. Elgin, to be postmaster at Corinth, in the county of Alcorn and State of Mississippi, in the place of John D. Bills, whose commission expires April 14, 1898.

William F. Jobes, to be postmaster at Brookhaven, in the county of Lincoln and State of Mississippi, in the place of Thomas Keenan, whose commission expires April 2, 1898.

Thomas J. C. Fagg, to be postmaster at Louisiana, in the county of Pike and State of Missouri, in the place of F. T. Meriwether, whose commission expired March 5, 1898.

George F. Robinson, to be postmaster at Jefferson City, in the county of Cole and State of Missouri, in the place of George J. Vaughan, whose commission expires March 19, 1898.

William L'H. Silliman, to be postmaster at Clarksville, in the county of Pike and State of Missouri, in the place of Francis Simonds, removed.

George M. Prentice, to be postmaster at Fairfield, in the county of Clay and State of Nebraska, in the place of G. W. Avery, deceased.

Horace M. Wells, to be postmaster at Crete, in the county of Saline and State of Nebraska, in the place of T. A. C. Beard, whose commission expires March 19, 1898.

Theodore C. Starr, to be postmaster at Roselle, in the county of Union and State of New Jersey, in the place of J. J. Quinn, whose commission expired February 26, 1898.

Melvin J. Esmay, to be postmaster at Scheneyus, in the county of Otsego and State of New York, in the place of B. Frank Bennett, removed.

Walter S. McCall, to be postmaster at Whitestone, in the county of Queens and State of New York, in the place of D. L. Godley, whose commission expires March 14, 1898.

F. E. Payne, to be postmaster at Clinton, in the county of Oneida and State of New York, in the place of Julia H. Bronson, removed.

John J. Roehrig, to be postmaster at Rosebank, in the county of Richmond and State of New York, in the place of Peter J. Kiernan, resigned.

George L. Patterson, to be postmaster at Concord, in the county of Cabarrus and State of North Carolina, in the place of J. B. Sherrill, whose commission expired February 16, 1898.

C. M. Crane, to be postmaster at Garrettsville, in the county of Portage and State of Ohio, in the place of F. L. Tidball, whose commission expired February 16, 1898.

Frank Fortune, to be postmaster at Jefferson, in the county of Ashtabula and State of Ohio, in the place of Clinton B. Hart, whose commission expired February 28, 1898.

Samuel D. Frank, to be postmaster at Troy, in the county of Miami and State of Ohio, in the place of James W. Davis, whose commission expired February 28, 1898.

Martin L. Miller, to be postmaster at Steubenville, in the county of Jefferson and State of Ohio, in the place of James Trotter, deceased.

John Vogt, to be postmaster at Deshler, in the county of Henry

and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1896.

James McCain, to be postmaster at McMinnville, in the county of Yamhill and State of Oregon, in the place of Frank S. Harding, whose commission expired February 13, 1898.

B. J. Kuntz, to be postmaster at Lehighon, in the county of Carbon and State of Pennsylvania, in the place of Oliver A. Clauss, whose commission expired January 30, 1898.

George W. Shaeff, to be postmaster at Susquehanna, in the county of Susquehanna and State of Pennsylvania, in the place of Martin J. Ryan, whose commission expires April 24, 1898.

Isador Sobel, to be postmaster at Erie, in the county of Erie and State of Pennsylvania, in the place of Charles S. Clarke, whose commission expires April 24, 1898.

Frederick W. Ulrich, to be postmaster at South Bethlehem, in the county of Northampton and State of Pennsylvania, in the place of Patrick Briody, whose commission expired March 1, 1898.

A. M. Woodward, to be postmaster at Reynoldsville, in the county of Jefferson and State of Pennsylvania, in the place of Evan T. McGaw, whose commission expires March 29, 1898.

William Y. Fair, to be postmaster at Newberry, in the county of Newberry and State of South Carolina, in the place of James R. Davidson, whose commission expired February 19, 1898.

John Rogers, to be postmaster at Plankinton, in the county of Aurora and State of South Dakota, in the place of T. W. Taubman, whose commission expires April 23, 1898.

Robert S. Brown, to be postmaster at Murfreesboro, in the county of Rutherford and State of Tennessee, in the place of James H. Crichlow, whose commission expired September 26, 1897.

Eli A. Warren, to be postmaster at Bristol, in the county of Sullivan and State of Tennessee, in the place of A. C. Harkleroad, whose commission expires April 11, 1898.

Samuel L. Burroughs, to be postmaster at Portsmouth, in the county of Norfolk and State of Virginia, in the place of Richard L. Herbert, removed.

Wray Thomas Knight, to be postmaster at Richmond, in the county of Henrico and State of Virginia, in the place of William H. Cullingworth, whose commission expired February 13, 1898.

Allison H. Fleming, to be postmaster at Fairmont, in the county of Marion and State of West Virginia, in the place of L. P. Carr, whose commission expires April 7, 1898.

Oliver Hall, to be postmaster at Colfax, in the county of Whiteman and State of Washington, in the place of Seymour Manning, whose commission expired March 8, 1898.

Benjamin Webster, to be postmaster at Platteville, in the county of Grant and State of Wisconsin, in the place of Thomas Jenkins, jr., whose commission expired February 7, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14, 1898.

CONSUL.

William P. Smyth, of Missouri, to be consul of the United States at Hull, England.

APPOINTMENT IN THE ARMY.

To be post chaplain.

The Rev. Halsey C. Gavitt, of Illinois.

PROMOTIONS IN THE ARMY.

Artillery arm.

Lieut. Col. Edward Bancroft Williston, Third Artillery, to be colonel.

Lieut. Col. William Sinclair, Fifth Artillery, to be colonel.

Maj. Wallace Fitz Randolph, Third Artillery, to be lieutenant-colonel.

Maj. Tully McCrea, Fifth Artillery, to be lieutenant-colonel.

Maj. Frank Guest Smith, Second Artillery, to be lieutenant-colonel.

Maj. Joseph Gales Ramsay, Fifth Artillery, to be lieutenant-colonel.

Quartermaster's Department.

First Lieut. Moses Gray Zalinski, Second Artillery, to be assistant quartermaster.

PROMOTIONS IN THE NAVY.

P. A. Paymaster George W. Simpson, to be a paymaster.

P. A. Paymaster Harry R. Sullivan, to be a paymaster.

Samuel Bryan, a citizen of the District of Columbia, to be an assistant paymaster.

COMMISSIONER OF IMMIGRATION.

Thomas Fitchie, of New York, to be commissioner of immigration for the port of New York, in the State of New York.

INDIAN AGENT.

John W. Harding, of Edgerton, S. Dak., to be agent for the Indians of the Yankton Agency in South Dakota.

RECEIVER OF PUBLIC MONEYS.

Henry S. Chubb, of Winterpark, Fla., to be receiver of public moneys at Gainesville, Fla.

REGISTER OF THE LAND OFFICE.

Walter G. Robinson, of Gainesville, Fla., to be register of the land office at Gainesville, Fla.

MARSHAL.

Lawson D. Melton, of South Carolina, to be marshal of the United States for the district of South Carolina.

POSTMASTER.

Jerry P. Wellman, to be postmaster at Keene, in the county of Cheshire and State of New Hampshire.

HOUSE OF REPRESENTATIVES.

MONDAY, March 14, 1898.

The House met at 12 o'clock m. Prayer by the Rev. EDWARD EVERETT HALE, D. D., of Boston, Mass.

The Journal of the proceedings of Friday last was read and approved.

USE OF GOVERNMENT TELEGRAPH POLES.

Mr. BABCOCK. Mr. Speaker, I desire to call up for consideration the joint resolution S. R. 91.

The Clerk read as follows:

Joint resolution (S. R. 91) authorizing the Public Printer to use certain telegraph poles.

Resolved, etc., That the Public Printer be, and he is hereby, authorized to place one six-pin arm on each of eleven poles now erected on North Capitol street between G and B streets, and to string thereon six telephone wires for use between the Government Printing Office and the United States Senate and House of Representatives: *Provided*, That nothing herein contained shall authorize the erection of any additional pole.

Mr. BABCOCK. I yield to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, this is a simple bill. The Government has certain telegraph poles already standing on the line of streets between this point and the Government Printing Office. This bill simply authorizes the stringing of some extra wires on the Government poles already there, for use between the Senate and House of Representatives and the Government Printing Office. It does not authorize the construction or erection of any new poles. I presume there will be no objection to it.

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

On motion of Mr. RICHARDSON, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

FRANKLIN INSURANCE COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask present consideration for the bill S. 1865.

The Clerk read as follows:

A bill (S. 1865) to extend the charter of the Franklin Insurance Company of the city of Washington.

Be it enacted, etc., That the act to amend and extend the charter of the Franklin Insurance Company, approved March 23, 1878, be, and the same is hereby, extended and continued in force for the period of twenty years from the 9th day of April, 1898, the time at which the said act of March 23, 1878, will expire; and that all legal rights and privileges conferred upon the Franklin Insurance Company by the original act of incorporation, or by any of the acts amending and extending the same, and all legal obligations and responsibilities imposed upon the said company by the acts aforesaid, shall be, and the same are, extended and continued in force for the period of twenty years, commencing on the 9th day of April, 1898.

SEC. 2. That the shareholders in said company shall be personally liable for all the debts of the company to an amount equal to the par value of their shares, and no part of the capital stock of said company shall be withdrawn, and any director or stockholder assenting thereto shall be personally liable for all debts of said company existing at the time of such withdrawal. And Congress may at any time alter, amend, or repeal this act.

Mr. DOCKERY. Let us have a brief explanation of the bill.

Mr. BABCOCK. I yield to the gentleman from Maryland [Mr. MUDD].

Mr. MUDD. Mr. Speaker, the object of the bill, as set forth in the title, is simply to extend the charter of the Franklin Insurance Company to the corporation for a period of twenty years. It gives the company no new powers whatever, but is simply a re-enactment of a bill passed every twenty years since 1818 as a further extension of the charter. I do not think there is anything new in it. This is a Senate bill, which has passed the Senate and has been favorably reported on by the Commissioners and the House committee.

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

On motion of Mr. MUDD, a motion to reconsider the vote by which the bill was passed was laid on the table.

CARRYING OR SELLING OF DEADLY OR DANGEROUS WEAPONS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill H. R. 5885.

The Clerk read as follows:

A bill (H. R. 5885) to amend section 5 of an act entitled "An act to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, and for other purposes," approved July 13, 1892.

Be it enacted, etc., That section 5 of the act approved July 13, 1892, entitled "An act to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, and for other purposes," be, and the same hereby is, amended so as to read as follows:

"SEC. 5. That any person or persons who shall, within the District of Columbia, sell, barter, hire, lend, or give to any minor under the age of 21 years, any such weapon as hereinbefore described shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, pay a fine or penalty of not less than \$20 nor more than \$100, or to be imprisoned in the jail of the District of Columbia not more than three months. No person shall engage in or conduct the business of the kind hereinbefore named without having previously obtained from the Commissioners of the District of Columbia a special license authorizing the conduct of such business by such person; and the said Commissioners are hereby authorized to grant such license, without fee therefor, upon the filing with them by the applicant thereof of a bond with sureties, to be by them approved, conditioned in such penal sum as they shall fix, to the United States for the compliance by said applicant with all the provisions of this section; and upon any breach or breaches of said condition said bond shall be put in suit by said United States for its benefit, and said Commissioners may revoke said license. Any person engaging in said business without having previously obtained said special license shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than \$100 nor more than \$500, and in default of the payment of said fine the person convicted shall be imprisoned in the workhouse of the District of Columbia for a period of not less than sixty days nor more than six months. All persons whose business it is to sell, barter, hire, lend, or give any such weapon or weapons shall be, and they are hereby, required to keep a written register of the name and residence of every purchaser, barterer, hirer, borrower, or donee of any such weapon or weapons, together with a full description of said weapon or weapons; which register shall be subject to the inspection of the major and superintendent of Metropolitan police of the District of Columbia, or other person by him authorized in that behalf, and further, to make report on or before the first Tuesday in each and every month, under oath, to said major and superintendent, of all such sales, barterings, hirings, lendings, or gifts made during the preceding month, together with a full description of said weapon or weapons and the name and residence of every purchaser, barterer, hirer, borrower, or donee of any such weapon or weapons. Any person or persons who shall refuse, neglect, or fail to keep said register as hereinbefore provided, or shall refuse, neglect, or fail to make said report at the time and in the manner provided for in this section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, pay a fine or penalty of not less than \$5 nor more than \$100, and in default of the payment of said fine the person convicted shall be imprisoned in the workhouse of the District of Columbia for a period of not less than fifteen days nor more than sixty days, and the Commissioners of said District may revoke said license. And one-half of every fine imposed under this section shall be paid to the informer, if any, whose information shall have led to the conviction of the person paying said fine. Any police officer failing to arrest any person guilty in his sight or presence and knowledge of any violation of any section of this act shall be fined not less than fifty nor more than five hundred dollars."

The amendments recommended by the committee were read, as follows:

Section 5, line 10, after the word "any," strike out the word "minor" and insert in lieu thereof the word "person."

Line 13, after the word "fine," strike out the words "or penalty;" and after the word "not" strike out the words "less than \$20 nor."

Line 22, page 2, after the word "not," strike out the words "less than sixty days nor."

Page 3, line 8, add to the last word the letter "d," so that it will read "said."

Lines 18 and 19, strike out, after the word "fine," in line 18, the word "or;" and in line 19 strike out the word "penalty;" and after the word "not" strike out the words "less than \$5 nor."

Line 22, after the word "not," strike out the words "less than."

In line 23 strike out the first three words, "fifteen days nor."

Page 4, lines 2, 3, 4, and 5, strike out the following clause: "Any police officer failing to arrest any person guilty in his sight or presence and knowledge of any violation of any section of this act shall be fined not less than \$50 nor more than \$500."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask present consideration for the bill H. R. 8064.

The bill was read, as follows:

A bill (H. R. 8064) to amend the criminal laws of the District of Columbia.

Be it enacted, etc., That persons charged in the police court of the District of Columbia in cases in which the only penalty upon conviction for the offense is a fine not to exceed \$50 may give security for their appearance for trial or for further hearing, either by giving bond to the satisfaction of the court or by depositing money as collateral security in such amount as the court may direct.

SEC. 2. That in all cases in the District of Columbia where a defendant is sent to jail or to the workhouse in default of the payment of a fine he shall be released upon the payment of the balance of the fine due by him, after crediting thereon as paid an amount equal to the proportion the time thus served by him in the jail or workhouse bears to the whole time he was to serve under the sentence.

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

Mr. GROSVENOR. Mr. Speaker, I do not think we ought to be passing a series of changes in the criminal laws of this District

without any knowledge of what they are. From what little I could hear, through the noise, we have passed one bill affecting the criminal laws of the District that comes here from a committee which I doubt very much has jurisdiction of the bill. These are United States laws, and they ought to come from the Committee on the Judiciary, in my judgment. I want to know what we are passing. They may be all right; I do not know but what they are. I know something about the police courts of Washington City. I have had experience there this morning—

Mr. PAYNE. What was the result?

Mr. GROSVENOR (continuing). I do not believe in changing the laws in regard to either evidence or bail or anything else until I know what is done about it; and I think the rights of the citizen—

Mr. CANNON. Did the gentleman plead his privilege? [Laughter.]

Mr. GROSVENOR. I did not call on the gentleman from Illinois, at all events. I should like to know what this bill is. I could not get the number or the title of it as read.

Mr. BABCOCK. I desire to say, in answer to the gentleman from Ohio, that this bill has been reported by the subcommittee on the Judiciary of the District of Columbia, and the chairman of that subcommittee and his colleagues are pretty good lawyers. I now yield to the gentleman from Wisconsin [Mr. JENKINS], chairman of the subcommittee, who is also a member of the Committee on the Judiciary.

Mr. GROSVENOR. I have said nothing about the character of the lawyers on your committee, but we have a rule of the House that the laws of the United States, or changes of the laws of the United States, come from the Committee on the Judiciary.

Mr. BABCOCK. This refers to the police laws of the District of Columbia.

Mr. GROSVENOR. But they are laws of the United States all the same.

Mr. JENKINS. Mr. Speaker, I might say that this bill is in the interest of any unfortunate citizen who might possibly be arrested and brought before the police court of the District of Columbia. The bill was suggested by the law department of the District. They found that many times persons were arrested for very trivial offenses, where the punishment did not exceed a fine of \$50, and it was impossible under the present law to bail them; in many cases it was inconvenient for the parties arrested and brought before the court to furnish bail other than by the deposit of money, and there was no law in the District of Columbia authorizing a deposit of money. This bill simply provides that in case a party is arrested charged with an offense where the fine is not exceeding \$50, he may be permitted to give bond approved by the judge of the court, or, in lieu thereof, make a deposit of money. Certainly this is in the interest of any man who may be unfortunate enough to be arrested, and not to his injury.

The second section is also in the interest of parties arrested. The officers of the District say that in many cases where a party is arrested and the sentence is to pay a fine or be imprisoned until the fine is paid, and the offending party is unable to pay the fine until he serves out a part of his sentence, it is only a matter of justice that he should be allowed a rebate, and this bill provides that if he serves out a part of his time in jail a deduction shall be made from the amount of the fine imposed.

Mr. GROSVENOR. Mr. Speaker, I have not the slightest objection to either one of these propositions; but if they are important enough to take the time of the House of Representatives they are important enough for the House to hear and know what it is voting upon. The second section is an innovation upon any legislation I ever came across; but it may operate well in this District.

Mr. RICHARDSON. Mr. Speaker, it is impossible to hear the gentleman from Ohio, and if it is important enough to take up the time of the House it is important enough for us to hear. [Laughter.]

Mr. GROSVENOR. I wish the gentleman from Tennessee could hear it, because it would be good for him. [Laughter.]

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

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

CAPITAL RAILWAY COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 5149, to amend the charter of the Capital Railway Company.

The bill was read, as follows:

Be it enacted, etc., That the Capital Railway Company is hereby authorized to install and use the overhead-trolley system on the Navy-Yard Bridge for the purpose of propelling its cars across the same; details of construction to be subject to the approval of the District Commissioners.

The amendments recommended by the committee were as follows:

In line 4 insert the word "double" after the word "the" where it first occurs, so as to read "the double overhead trolley."

In line 6, after the word "same," insert a comma, to be followed by these words: "The speed on the bridge not to exceed the rate of 3½ miles an hour,

and the double trolley wires to be protected by a wooden trough and thoroughly insulated from said bridge."

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from New York [Mr. SHANNON], who reported the bill.

Mr. SHANNON. Mr. Speaker, the object of this bill is to authorize the use of the overhead trolley on the Navy-Yard Bridge, where horses are now being used, thus continuing the system that is in use from Congress Heights to the bridge.

I ought to say, perhaps, for a better understanding of the matter, that the Capital Railway Company's line starts from the entrance to the Navy-Yard, runs across the Navy-Yard Bridge, through Anacostia, and out to Congress Heights, a distance of about 3 miles from the bridge. On this side of the bridge the underground electric is used; on the other side of the bridge the overhead trolley is used, while on the bridge itself horses are used. Now, the bill proposes, as I have said, to simply substitute the overhead trolley in the place of the horses on the bridge.

The District Commissioners, to whom the matter was referred, report that the overhead trolley may be used with entire safety, and, after suggesting certain amendments, recommend favorable action on the bill. As the underground electric is impracticable on a drawbridge, and the use of horses only means delay and inconvenience for the traveling public, your committee find the request of the company a very proper one, and so unanimously recommend the passage of the bill, with the amendments indicated in the report.

The committee amendments were agreed to.

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

On motion of Mr. BABCOCK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WASHINGTON AND GLEN ECHO RAILROAD COMPANY.

Mr. BABCOCK. I ask unanimous consent for the present consideration of Senate bill 924, "An act to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet."

The bill was read, as follows:

Be it enacted, etc., That the Washington and Glen Echo Railroad Company, a corporation organized under the laws of the State of Maryland and operating a street railway in said State, the eastern terminus being at or near the northern boundary of the District of Columbia in Chevy Chase, be, and said corporation is hereby, authorized and empowered to obtain a right of way and construct its road and lay double tracks thereon into the District of Columbia a distance of 600 feet, and no farther, from the point in the boundary line of the District where said railway extended crosses the boundary line of the District and from said point to a point on the west line of Connecticut avenue extended, on a route to be approved by the Commissioners of the District of Columbia, said corporation to have full power and authority to operate cars upon said road for the purpose of its traffic; said corporation to use electric motive power in propelling its cars: *Provided,* That no fares shall be charged or collected within the District of Columbia: *And provided further,* That unless the extension herein provided for shall be completed within six months from the date of the approval of this act, then this act shall be null and void.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The amendments recommended by the committee were read, as follows:

Add after section 1 the following six sections, section 2 of the original Senate bill to be numbered section 8 in the bill as reported by your committee:

"SEC. 2. That said railway company shall be constructed in a substantial and durable manner, and all rails, electrical appliances, etc., shall be approved by the Commissioners of the District of Columbia.

"SEC. 3. That if the said company, in the construction of the extension herein authorized, shall cross any public road or highway, the space between its tracks and rails and 2 feet exterior thereto shall be kept by it at all times in proper repair to the satisfaction of said Commissioners of the District of Columbia. Should the said company fail to keep said space in repair to the satisfaction of said Commissioners, the work will be done by the District and the cost thereof shall be collected from said company as provided in section 5 of the act entitled 'An act providing a permanent form of government for the District of Columbia,' approved June 11, 1878.

"SEC. 4. That the said company shall furnish and maintain passenger houses, with suitable conveniences for the public, as required by the Commissioners of the District of Columbia, and shall use first-class cars on said railway, with all modern improvements for the convenience, comfort, and safety of passengers, and shall run cars as often as the public convenience may require, in accordance with a time-table approved by the Commissioners of said District. Every failure to comply with the conditions of this section shall render said company liable to a fine of \$50, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of said District.

"SEC. 5. That the Commissioners of the District of Columbia shall make such regulations as to rate of speed and mode of use of tracks as in their judgment the interest and convenience of the public may require. Should the servants or agents of said company willfully or negligently violate such an ordinance or regulation, said company shall be liable to the District of Columbia for a penalty not exceeding \$500.

"SEC. 6. That all articles of value that may be inadvertently left in any of the cars or other vehicles of said company shall be taken to its principal depot and entered in a record book of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

"SEC. 7. That such portion of said road as lies within the District of Columbia shall be deemed real estate, and, together with other real property and such personal property as is within the said District, shall be liable to taxation as other real and personal property in the District of Columbia."

Mr. BABCOCK. Mr. Speaker, I desire to say in reference to this, that it is a bill that passed both the House and the Senate last session and provides only for the construction of 600 feet of track in the District to connect at Chevy Chase circle. The amendments recommended in the bill were suggested by the Commissioners and are supposed to throw every safeguard around the bill, so far as

proper construction and regulations are concerned. It passed the House and Senate, but failed to be signed by the President.

Mr. HEPBURN. Mr. Speaker, why is it they have introduced in this measure a new system of taxation? Here is a provision providing for the taxation of the personal property of this road. Now, why is that? That is a system that does not apply to any other road in the District. Is this a new departure, and is it proposed by the committee hereafter to adopt that method of taxation?

Mr. BABCOCK. The situation with respect to this line is a little different from the situation of other lines. There are only 600 feet of this line in the District. This proposition was suggested by the Commissioners in order that the company might be required to pay its proper proportion of taxation on the property it may have in the shape of terminals, etc., in the District. There is no opportunity to tax its gross receipts, because the company is not allowed to charge any fare in the District.

Mr. HEPBURN. If the company is not permitted to make any money out of its franchise, why impose this new and additional burden of taxation?

Mr. BABCOCK. The conditions existing in this case never have existed before. The whole line, as I have stated, is outside of the District, except 600 feet. The company wants to come into the District and establish terminals. Without a provision of this kind, it would be entirely free from taxation inside of the District.

Mr. HEPBURN. Those terminals will be real estate, will they not?

Mr. BABCOCK. No, sir; such improvements are assessed as personal property.

Mr. ODELL. I did not quite understand the gentleman's statement in regard to the method of taxation proposed in this case. Will he please repeat it?

Mr. BABCOCK. This is a provision for assessing the personal property of the company. Its line is entirely outside of the District, except 600 feet.

Mr. ODELL. And you do not assess those 600 feet in the District?

Mr. BABCOCK. The company is not allowed to charge any fares inside the District.

Mr. ODELL. So that without this provision the company would escape taxation?

Mr. BABCOCK. This provides for the taxation of their personal property—their tracks, etc.

Mr. ODELL. It provides for the assessment of the rails, etc.?

Mr. BABCOCK. Yes, sir; all the personal property.

I ask for a vote.

The question being taken, the amendments were agreed to.

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

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

HEIRS OF POM K. SOH.

Mr. BABCOCK. I ask for the present consideration of the bill (S. 2764) for the relief of the heirs of Pom K. Soh, deceased. I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That all the right, title, claim, and interest that the United States or the District of Columbia may have to a certain tract of land in the District of Columbia, described as all of lot No. 35, in Barr and Sanner's subdivision of part of block No. 83, in Columbia Heights, as per plat of said Barr and Sanner's subdivision, recorded in County Book No. 9, page 129, of the records of the surveyor of the District of Columbia, owned at the time of his death by Pom Kwang Soh, a naturalized citizen of the United States, under deed from Lester A. Barr and wife and Franklyn T. Sanner and wife, dated the 19th day of March, 1897, recorded in Liber 2302, at folio 73, in the office of the recorder of deeds of the District of Columbia, be, and the same is hereby, granted and conveyed to Everett Frazier, the consul-general of Korea at New York, and his heirs, in trust for the heirs of Pom Kwang Soh, subject to the dower of the widow of the said Pom Kwang Soh: *Provided,* That this shall have the effect only of a quitclaim of all the right, title, and interest of the United States and of the District of Columbia therein, not to affect any valid adverse right or title to said land nor create any liability on the part of the United States.

Mr. BABCOCK. I yield to the gentleman from Wisconsin [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, this bill is made necessary on account of the curious state of the law governing the ownership of real estate in the District of Columbia by aliens. Pom K. Soh at the time of his death was a naturalized citizen of the United States representing the Korean Government here. He had purchased the property in question. Shortly after he became the owner of it he died. Before his death he made a noncupative will, which was not sufficient to convey the property to his alien relatives. The law provides that a foreigner may take by deed or will executed in the required form; but this property did not pass by the noncupative will, so that the title escheated to the United States. This bill merely provides that the United States Government release all its title to the heirs of Pom K. Soh.

The bill has been submitted to the Commissioners of the Dis-

trict and the law department of the District, and they have all recommended its passage. The bill has also passed the Senate.

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

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

ESTATE OF FRANCIS AND JURIAH HALL.

Mr. BABCOCK. I ask for the present consideration of Senate bill No. 1081. This is a bill of practically the same character as the one just acted on by the House; and I make the same request, that it may be considered in the House as in Committee of the Whole.

Mr. CANNON. Let us hear the bill read.

The bill was read, as follows:

An act (S. 1081) authorizing and directing the Secretary of the Interior to quitclaim and release unto Francis Hall and Juriah Hall and their heirs and assigns all the right, title, and interest of the United States in and to the east 20 feet front by the full depth of 100 feet of lot 2, in square 493, in the city of Washington, D. C., as laid down on the original plan or plat of said city.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to quitclaim and release unto Francis Hall and Juriah Hall and their heirs and assigns all the right, title, and interest of the United States of America in and to the east 20 feet front by the full depth of 100 feet of lot 2, in square 493, in the city of Washington, D. C., as laid down on the original plan or plat of said city.

There being no objection, the House proceeded to the consideration of the bill as in Committee of the Whole.

Mr. JENKINS. Mr. Speaker, the facts in this case are briefly these: One Jane Hall was born a slave in the State of Maryland in 1799. In 1821 she became a resident of the city of Washington, D. C. Her master freed her; and the evidence of her emancipation has been submitted to your committee, being in the handwriting of the master.

At that time she had two children—a boy and a girl—born slaves; and the master freed the children as well as the mother. Shortly after she obtained her freedom she purchased the property in question and built a small house upon it. The boy is alive, the girl is dead. The girl married and had several children, all of whom have deeded to the son this property.

They have paid taxes upon this property ever since the purchase was made, some time in 1840. On account of the fact that these children were of illegitimate birth it was impossible under the law prevailing in the District for children of Jane Hall to inherit the property, and so it escheated or became forfeited to the United States. But the United States Government has never asserted any claim to the property, and the committee find that the heirs of the said Jane Hall are respectable, hard-working people, and unquestionably entitled to the title held to this property by the United States, and therefore recommend the passage of the bill.

It has been submitted to the Commissioners of the District of Columbia and to the attorney of the District, as well as to the learned Attorney-General of the United States, and all recommend the passage of the bill. This bill has also, I might say, passed the Senate.

I ask a vote upon the passage of the bill.

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

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

CHARLOTTE J. GOTTWALS.

Mr. BABCOCK. Mr. Speaker, I ask the present consideration of bill (H. R. 8602) for the relief of Charlotte J. Gottwals from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens.

This bill is practically of the same character as the other, and I make the same request, that it be considered in the House as in Committee of the Whole.

The SPEAKER. The bill will be read, after which the Chair will submit the request of the gentleman.

The bill was read, as follows:

Be it enacted, etc., That all real estate lying in the District of Columbia heretofore purchased by and conveyed to Charlotte J. Gottwals, of said District, prior to the passage of this act, be relieved and exempted from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens," approved March 3, 1887, and all forfeitures incurred by force of said act are, in respect of such real estate, hereby remitted.

The SPEAKER. Is there objection to the consideration of this bill in the House as in Committee of the Whole?

There was no objection.

Mr. BABCOCK. I yield to the gentleman from Wisconsin [Mr. JENKINS], who will explain the bill.

Mr. JENKINS. Mr. Speaker, the beneficiary of this bill, Charlotte J. Gottwals, is a married woman. Her husband's father was an American citizen, who was born in the State of Pennsylvania, who went to Canada and became engaged in business there. During the course of that business he found it to be to his interest to become a British subject, and did so.

While a subject of Great Britain and there in business, a son, the husband of the beneficiary of this bill, Charlotte J. Gottwals, was born. Consequently this son was a subject of Great Britain. He married the beneficiary of the bill while a citizen of Great Britain, and subsequently removed to the United States. As soon as the husband of Charlotte J. Gottwals came to the United States he made his declaration to become a citizen of the United States, and some time in August, 1897, he did become a citizen. In April, 1897, Mrs. Gottwals bought the property in question. At that time her husband had made his declaration to become a citizen, and, although he had made his declaration to become a citizen, the property under the law became forfeited to the United States.

The taxes have been paid regularly, and there is no incumbrance whatever on the property due to the United States.

The father of the claimant, during the war, came over from Canada and enlisted in a New York regiment, and was an excellent soldier during the rebellion and made a very good record. After the war he returned to Canada. Mrs. Gottwals was during all this time a foreigner and unable to acquire title to the property. She asks now that the United States quitclaim its interest to her. This is the case, and I ask a vote.

Mr. HEPBURN. I would like to ask the gentleman from Wisconsin a question.

Mr. JENKINS. Certainly.

Mr. HEPBURN. I would like to ask if the gentleman knows of any instance in which, under the statute recited in this bill, there has been a forfeiture to the United States in the District of Columbia—I mean a forfeiture that has become actually operative?

Mr. JENKINS. I am not familiar with any.

Mr. HEPBURN (continuing). Is it not the policy of the District of Columbia Committee in all instances to relieve all claims of whatever liens may be created in favor of the United States by this particular act?

Mr. JENKINS. I do not know as to that. In this case the committee has followed precedents established in something over forty different cases of a similar character where bills of this kind were presented. I may say to the gentleman that some of the ablest lawyers in the city give it as their opinion that this property has become forfeited to the United States. If not, we are doing no wrong to remove the cloud upon the title.

Mr. HEPBURN. The suggestion of my question was to the effect that it would probably be better for the committee to bring in a general bill to relieve all such cases, or to repeal the statute to which reference is made.

Mr. JENKINS. Bills of this character have always been passed when presented.

I ask a vote.

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

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

TAXES ON STREET RAILROADS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 4221) to regulate taxes upon street railroads within the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That every street-railroad company operated within the District of Columbia shall annually pay a franchise tax to the tax collector of the District of five-eighths of 1 per cent of the entire gross earnings of such company. There shall be levied and collected, in addition to such franchise tax, upon all of the real estate of said companies, a tax in the same manner and to the same extent as upon all other real estate in the District of Columbia. The following named companies, to wit, the Capital Traction Company, the Metropolitan Railroad Company, and the Columbia Railway Company, shall each pay, in addition to the franchise tax, an annual tax of 4 per cent on their entire gross earnings. All other of such companies within the District shall pay an annual tax of 2 per cent upon their gross earnings, in addition to said franchise tax.

Sec. 2. That all laws now in force in said District with reference to the collection of taxes, the creation of liens therefor, and the time and mode of making assessments and collections, are hereby made applicable to the subjects of this act, except in so far as the provisions herein may be incompatible therewith.

Sec. 3. That this law shall take effect from and after the 1st day of July, 1898, at which date the new rate of taxation herein provided shall begin.

The following amendments recommended by the Committee on the District of Columbia were read:

Page 2, section 2, line 6, after the word "therewith," strike out the period and insert in lieu thereof a semicolon, adding thereafter the following: "and all laws, parts of laws, or provisions in any charter of any of said companies to the contrary or inconsistent with the provisions of this act are hereby repealed."

Page 2, after section 3, add the following section, to be numbered 4:

"Sec. 4. That Congress reserves the right to alter, amend, or repeal this act."

Mr. HUNTER. Is this the first time that the franchise tax has ever been imposed? Is this a new law?

Mr. BABCOCK. It is; yes.

Mr. HUNTER. Entirely new?

Mr. BABCOCK. Yes.

Mr. HUNTER. I see that you levy a tax there of 2 per cent

upon their gross earnings. Is that an arbitrary tax that is fixed by law as heretofore?

Mr. BABCOCK. No; I will explain that.

Mr. HUNTER. I should be glad to have it explained.

Mr. BABCOCK. Mr. Speaker, your committee, when it undertook to investigate the method of collecting taxes on street railway corporations, found that there was a great injustice as between the different companies here in the city. For instance, the Capital Traction Company pays 4 per cent upon its gross receipts and a tax upon all of its real estate, the same as any other corporation or private party holding real estate. The Metropolitan Railway Company and the Columbia Railway Company pay a total tax of only 4 per cent upon their gross receipts; or, in other words, they are assessed under a different law, and the real estate is assessed and the personal property is assessed, and the two together combined make 4 per cent. So the Traction Company pays a tax upon all of its real estate, amounting to some ten or twelve thousand dollars a year, from which the other two companies are exempt. Under the different charters the rate of taxation upon the gross receipts is not at all uniform. One line of road here is not paying any tax at all of any kind, either upon its real estate or upon its gross receipts. For this reason the committee have formulated this bill.

The provisions as to the tax on real estate and upon gross receipts are to equalize the taxes as between the different companies. The provision for a franchise tax of five-eighths of 1 per cent is entirely new, and the committee have acted upon the theory that all companies shall pay this franchise tax of five-eighths of 1 per cent, and that the three dividend-paying companies, the Traction, the Metropolitan, and the Columbia, shall pay a tax upon their real estate and 4 per cent upon their gross earnings. All other street-car lines shall pay a tax upon their real estate and 2 per cent upon their gross earnings.

Mr. HEPBURN. I should like to ask the gentleman to give us a statement of the gross receipts of these three dividend-paying companies.

Mr. BABCOCK. The three companies, the Traction, the Metropolitan, and the Columbia, are the only three street-car lines in the city that are self-supporting. I believe every other line is losing money in its present operation. These three all pay dividends. In the report attached to the bill, Mr. Speaker, is a complete statement showing the amount of taxes now paid by each company or corporation and the amount that it would pay under this new provision. This will yield an increase of taxes, all told, of about \$23,000 per year, based upon the earnings of the companies in 1897. Now I will yield to the gentleman from Iowa.

Mr. HEPBURN. I wanted the gentleman to state to the House the amount of gross receipts that would be subject to this tax, so that we should have some idea as to the revenue which would result, and also what would be released from the other companies, by adopting this plan.

Mr. BABCOCK. I would say to the gentleman that the gross earnings of the roads, as well as other statistical information relating to the same matter, are contained in the report of the committee, as follows:

Name.	Capital stock.	Gross earnings.	Amount of tax.	Real estate.	Amount of tax on real estate.
Anacostia and Potomac River Rwy. Co.		\$45,439	\$908.78	\$8,300	\$124.50
Belt Rwy. Co.	\$233,691		800.94	180,295	2,704.43
Brightwood Rwy. Co.		53,892	2,155.68	7,424	111.36
Capital Traction Co.		1,000,823	40,032.92	787,488	11,812.32
Columbia Rwy. Co.	393,052		4,951.10	65,979	989.69
Eckington and Soldiers' Home R. R. Co.		104,608	4,184.32	6,530	97.95
Georgetown and Tennallytown R. R. Co.		22,827	913.08	10,828	162.35
Metropolitan Rwy. Co.	1,687,450		18,057.83	463,595	6,953.93
Washington, Alexandria and Mount Vernon R. R. Co.		7,357	249.28		
Washington and Great Falls Electric R. R. Co.		15,447	617.87	4,010	55.98
			72,916.80		23,012.51

* At 2 per cent.

Total taxes upon capital stock and upon gross earnings..... \$72,916.80
Total taxes upon real estate..... * 23,012.51

Total taxes to be collected from above corporations..... 95,929.31

MATTHEW TRIMBLE,
Assessor, District of Columbia.

The report of the committee contains a very full and detailed statement upon each item of the earnings of the different roads.

Mr. RICHARDSON. I will ask my colleague to state how much the Traction Company will pay under this arrangement than it now pays, taking the 4 per cent tax on its gross

earnings which it now pays and the tax on its real estate which it now pays, and comparing the total with the 4 per cent that it will pay under the new law and the five-eighths of 1 per cent franchise tax and the other taxes. How much more does it make that one company pay?

Mr. BABCOCK. It makes the Traction Company pay five-eighths of 1 per cent upon its gross receipts in addition to what it is paying now.

Mr. RICHARDSON. That will be how much—six or eight thousand dollars a year?

Mr. KING. Six thousand two hundred and fifty-five dollars.

Mr. BABCOCK. Six thousand two hundred and fifty-five dollars. It also increases the taxes of the Metropolitan Railway Company.

Mr. RICHARDSON. In the same proportion.

Mr. BABCOCK. No, sir; they have not been paying tax on real estate. It increases their tax about \$16,000 a year.

Mr. CANNON. In other words, if I see this table aright, on page 4, it increases the taxes of the Capital Traction Company, if enacted, \$6,000?

Mr. BABCOCK. Yes, sir.

Mr. CANNON. The Metropolitan \$16,000?

Mr. BABCOCK. Yes, sir.

Mr. CANNON. And the Columbia \$2,372, and decreases the taxes on the Anacostia, which is not a dividend payer?

Mr. RICHARDSON. Nor any other sort of a payer.

Mr. BABCOCK. They do not pay anything.

Mr. CANNON. Two hundred and eighty-three dollars, and it decreases the Belt Railroad \$1,032, and the other railways, too, in the same proportion. Let us see whether you increase the taxes of these railways, some of which, it seems to me from their income, are not self-sustaining. Does it decrease or increase?

Mr. BABCOCK. It decreases the tax of nearly all the lines except the three prominent lines.

Mr. CANNON. Decreases them?

Mr. BABCOCK. From the method of making the assessment, the Anacostia has paid no tax, and from the method of assessment on the Belt Line, it has paid no tax, practically, that it should have paid, but it reduces the tax of 4 per cent on gross earnings to 2 per cent on gross earnings, and it is based on the theory that the tax will be assessed and collected under this law.

Mr. HEPBURN. Mr. Speaker—

Mr. COCHRAN of Missouri. I desire to offer an amendment.

The SPEAKER. To whom does the gentleman yield?

Mr. BABCOCK. I yield to the gentleman from Iowa.

Mr. HEPBURN. I do not know, Mr. Speaker, that this is an improvement in the method of taxation. I do not think it presents a fair system of taxation for those roads. The Capital Traction Company has now an issue of stock of \$12,000,000. From the last quotation of the value of that stock that I saw I think it was quoted at 73 and a fraction. Call it 75 for the purposes of computation, and that company's stock represents a value of \$9,000,000. They have about \$4,000,000 worth of property, as I am informed. Taking into account as property their line of railway, their equipment, all of their terminals, all of their buildings for motor power, the motors, and all classes of real property, it would be about \$4,000,000, as I am told.

That still leaves \$5,000,000 to be accounted for, and it can only be accounted for by assuming that the franchise is worth \$5,000,000. Now, if it is proposed to tax that franchise at all—which I am not at all sure is a desirable or proper thing—if it is to be taxed at all, why should it not be taxed in some adequate way? These roads have no right to complain of the burdens of taxation. This \$4,000,000 of property, including their roadbed, the money that has been put into it, as I understand, in dollars, makes them only practically, including the rolling stock, \$4,000,000; and at 1½ per cent, the rate of taxation all other property in the city has to bear, except personalty, would yield \$60,000, a larger sum than the gross sum ever paid by this company in any year.

Now, in the provisions of this bill here is an estimate of \$5,000,000 of property, namely, the franchise, that will pay under this method of assessment \$5,000 or \$8,000 a year.

Mr. BABCOCK. Six thousand two hundred and fifty-five dollars.

Mr. HEPBURN. Making \$15,800 to \$16,200 the total taxation upon a valuation of \$5,000,000. If that \$5,000,000 bore its proportion and the same rate of taxation that other property bears, which is supposing that the franchise is of the value indicated by the bill, I submit it would be \$60,000. The committee are relieving this company of \$54,000 of their fair share of taxation. Now, I do not believe in this franchise tax at all. I do not believe that is the proper way. This franchise, in equity at least, belongs to the people of this District, and the benefits to them ought to be felt all the way along in a gradual reduction in the cost of transportation. I would put no franchise tax upon the roads; but I would, whenever the dividends of the road and the receipts indicate the propriety of it, require them to sell more and more tickets for a dollar.

I believe that is the proper way to bring the benefits of this franchise to all of the people most interested in it. I do not believe that this bill ought to pass. I have no objection at all to relieving these impecunious roads, but the system of taxation that they have adopted is not a fair one and is not an adequate one.

Mr. BABCOCK. I yield to the gentleman from New York [Mr. ODELL].

Mr. ODELL. Mr. Speaker, the gentleman from Iowa [Mr. HEPBURN] has struck a snag which I early encountered in the affairs of the District of Columbia. There is not a city within my knowledge where the system of taxation is so unfair as that which is in vogue in the District of Columbia.

The figures given by him in relation to the tax paid by the Capital Traction Company are not large enough—that is, the discrepancy which exists as to that they do pay and what they should pay. Their stock is worth in the market to-day 70, making the valuation in round figures \$8,400,000, and they should pay upon that amount. At one of the hearings when this question of taxation was up it was discovered that notwithstanding the law provided that the Metropolitan and Columbia Railroad companies should pay a tax upon their real estate, that the tax should be extended so as to include the track and the other appurtenances of the roads, the assessor, for some unexplained reason, assessed them upon a basis of 4 per cent, so, as shown by reports of these two railroads, they have been for the past few years escaping taxation on their real estate to the amount of about \$20,000 a year.

The tax bill introduced and now under consideration was a measure which I suggested, and is the law which is in effect in the State of New York to-day. There is no corporation in the State of New York that does not pay a personal tax of five-eighths of 1 per cent, not on its gross earnings, but on the capital stock, the valuation of the capital stock being based upon its dividend-earning power.

I agree with the gentleman from Iowa [Mr. HEPBURN] that this tax is not large enough, but it is a step in the right direction, and the bill, in my opinion, is a partial relief to the taxpayers of the District of Columbia. There are other measures which, I understand, are to follow, and which will relieve the taxpayers of the District of Columbia who pay their fair proportion of taxation from the injustice and wrong now being done them, and I hope that the gentleman from Iowa will join those in favor of good government in the District in aiding in promptly passing this bill.

Mr. HEPBURN. Mr. Speaker, if this proposition came up in conjunction with these other propositions, so that they could all be considered at once, it seems to me it would be much better. There is a large interest in this city desirous of the passage of this bill. When you come to the other proposition that the gentleman has referred to, if it looks to fair taxation, there will be an exceedingly large interest in this city opposing that bill, and our corridors will be filled with lobbyists opposing it. There are prominent men in this city, Mr. Speaker, who do not pay 1 per cent of the taxes, in proportion to their real estate and their wealth, that other men are paying. There is one building in this city that is not assessed at 10 per cent of its value, one of the larger buildings, too. There is another instance where \$250,000 was put in in improvements in a building, and yet the valuation was not increased one cent for taxation. The city is full of such instances.

Mr. ODELL. There is one bank in the city of Washington, I will say to the gentleman from Iowa, that, if the valuation of the assessor was taken as a true one, would make the bank insolvent. The assessor's valuation of the real estate is \$70,000, and it is accepted by the Government at a valuation of \$750,000.

Mr. HEPBURN. I think it would be much better that this bill should be postponed until we have the other one—

Mr. BABCOCK. This bill has nothing to do with the other proposition.

Mr. HEPBURN (continuing). And consider them together; that is the fairer way. I think the gentleman from New York is mistaken in supposing that it will be as easy to pass the one that he refers to as this one. Here the harm to the people will be inconsiderable if we should pass this bill. The other one you will find very great difficulty in passing, I am afraid, because there will be so many interests that will be clamoring in opposition to it.

Mr. BABCOCK. Mr. Speaker, I desire to say in response that the Capital Traction Company have paid a greater percentage of tax than any other street railway system in this city; and based upon the value of their capital stock at 70, it would be \$8,400,000, less the lines they own that are operated outside of the city and beyond Chevy Chase, in Maryland. That, of course, the District of Columbia can not reach, and it must be deducted from the \$8,400,000. Now, suppose we call that \$8,000,000 the actual value of the property in this District. The basis of assessment here is 40 to 50 per cent of the actual value. In Wisconsin it is 33½ per cent on the actual value of real estate. But we will take the basis of taxation, if you please, as 50 per cent of the actual value. That would give \$4,000,000 of taxable property if everything were taxed. On the basis of 1½ per cent that would yield \$60,000. The taxation

of this property in this bill will be \$58,100.33. The bill puts this company as nearly as possible on an equitable basis, taking into consideration the taxation of other kinds of property. This is, of course, on the theory that the property is assessed. Of course if it is not assessed, it can not be taxed.

The committee of which I have the honor to be a member took up some years ago the question of equalities of taxation. In this city a very small percentage of personal property is taxed, that is true. But we find this state of affairs, that the District of Columbia has surplus money all the time; that under the present system it raises more money than it has any use for—more than Congress will appropriate.

Mr. ODELL. The fact is, however, as I stated in committee, that any surplus funds can be applied to the improvement of the water supply of Washington or for other similar purposes, for which the District has been expecting to get appropriations from Congress, which makes it very desirable, in my opinion, that the District should realize all that it properly can in the way of taxation.

Mr. BABCOCK. That there is this surplus is true; and no man can contest the proposition of the gentleman from New York that taxes ought to be equalized.

The provision in this bill which, in my opinion, makes its passage especially desirable is that it puts these dividend-paying companies all on the same basis with respect to taxation. These poorer lines pay 2 per cent on their gross earnings. As I said before, certain lines are not even self-sustaining, to say nothing about paying dividends.

So far as the matter of taxation is concerned, I think that the more you can separate these matters, according to the theory of the gentleman from Iowa, the more easily you can handle them. If we put them all together we would have our lobbies full of opponents to this class of legislation. I have not known of anybody particularly interested in opposing this bill. I believe it is a proper and just measure, one which will fully meet certain requirements in this city.

Mr. HEPBURN. Do I understand the gentleman to state that under the provisions of this bill the \$4,000,000 of actual property of this company, aside from the franchise, will be assessed for taxation?

Mr. BABCOCK. No, sir; they are assessed 4 per cent on their gross earnings and upon their real estate. Their personal property is not assessed at all.

Mr. HEPBURN. What do you call their personal property?

Mr. BABCOCK. Their tracks and any other personal property they may have.

Mr. HEPBURN. The tracks are personal property, then?

Mr. BABCOCK. Yes, sir.

Mr. HEPBURN. What does the gentleman say as to their power houses and machinery?

Mr. BABCOCK. Their land and the improvements on it are assessed as real estate.

Mr. HEPBURN. Those are just as essential to the road as the other.

Mr. BABCOCK. But they pay a tax on that property of 1½ per cent in addition. During the last year they have paid \$11,812.33 on their real estate.

Mr. CURTIS of Iowa. I think it should be made clear to members on this floor why the Capital Traction Company has been required to pay more than its just proportion of taxes. This company has paid 4 per cent on its gross receipts in lieu of taxation of personal property. In addition to this taxation, which the other companies have paid, it has paid a tax of 1½ per cent on the assessed valuation of its real estate, this tax amounting last year to \$11,812.32. If the property of this company had been assessed on precisely the same basis as that of the Metropolitan and other railway lines of this city, it would have paid only \$40,032.90, whereas it has paid \$51,845.24. The Metropolitan Railway Company paid only 4 per cent tax on its gross receipts, in lieu of taxation of personal property and real estate; and other companies have been taxed in the same way.

Now, one word in reply to the suggestion of my colleague from Iowa [Mr. HEPBURN]. Under the plan suggested by him the Capital Traction Company would pay a tax of \$60,000 or more. Under the plan here proposed and on the basis of the depressed conditions existing during the last year, this company would pay \$58,100.

Now, Mr. Speaker, it is fair to presume that under the improved conditions, with its lines equipped with an underground electric system similar to that of the Metropolitan, it will pay a tax in excess of \$60,000. By reference to the report it will be seen that the Capital Traction Company, the Metropolitan road, and the Columbia Railroad—the only dividend-paying lines in the District—the Anacostia road and the Belt Railway—the latter two nondividend-paying roads—will each pay increased taxes, amounting in the aggregate to \$26,010.07, while the other companies, not one of which has ever paid a dividend and can not possibly pay one under present conditions, will pay decreased taxes to the extent of \$2,806.20.

These are the conditions as I understand them.

Mr. BABCOCK. Mr. Speaker, I ask a vote upon the bill and amendments.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

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

THE BELT RAILWAY COMPANY OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask the present consideration of the bill (H. R. 8541) to define the rights of purchasers of the Belt Railway, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That any corporation operating a street railroad within the District of Columbia be, and it is hereby, authorized to purchase the property and franchises of the Belt Railway Company under any sale thereof by decree of court or otherwise; and such corporation so purchasing may operate the property and franchises so purchased as a part of its system, subject to all rights and obligations imposed by existing legislation or by this act, so far as the same shall be applicable; and in case the property and franchises of said Belt Railway be purchased by any person or persons at any sale thereof under decree of court or otherwise, such person or persons, and his or their associates and assigns, shall possess and enjoy all the corporate rights, privileges, and franchises heretofore conferred on the said Belt Railway Company by the act of Congress approved March 3, 1875, and the acts amendatory thereof and supplemental thereto, as well as the right to be a corporation under this act, and the right to acquire by purchase or lease the property and franchises of any other corporation operating a street railroad within the District of Columbia; and the incorporation as hereby provided shall be completed and become effective whenever the said purchaser or purchasers and his or their associates or assigns shall file for record with the recorder of deeds for the District of Columbia a certificate of incorporation hereunder, duly acknowledged, specifying the name of such new corporation, its officers, and the names of its directors for the first year, and the amount of its proposed capital stock and bonds. The capital stock of the corporation herein authorized shall be divided into shares, each of the par value of \$100; and any corporation so created and organized hereunder is authorized to issue its bonds and capital stock either for cash or in exchange for the stock, bonds, property, or franchises of the said Belt Railway Company: *Provided, however,* That the total issue of said bonds and stock shall not in the aggregate exceed the amount necessary for effecting any such purchase, and for the construction, reconstruction, and equipment of said Belt Railway. No stock shall be issued until a judge of the supreme court of the District of Columbia shall approve its issue and certify that it is issued in conformity to the provisions of this act; and within one year from the ratification by the court of such sale the existing railroad company purchasing the said Belt Railway, or the corporation created and operating hereunder, shall, under the supervision of the Commissioners of the District of Columbia, construct and put into full operation on the entire line of said railway as now constructed an underground electric system similar to the one now in use by the Metropolitan Railroad Company, upon plans to be submitted to and approved by the said Commissioners.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The committee recommend the adoption of the following amendment:

Strike out all after the enacting clause and insert:

"That any corporation operating a street railroad within the District of Columbia be, and it is hereby, authorized to purchase the property and franchises of the Belt Railway Company under any sale thereof by decree of court or otherwise; and such corporation so purchasing may operate the property and franchises so purchased as a part of its system, subject to all rights and obligations imposed by existing legislation or by this act, so far as the same shall be applicable; and in case the property and franchises of said Belt Railway be purchased by any person or persons at any sale thereof under decree of court or otherwise, such person or persons, or his or their associates and assigns, shall possess and enjoy all the corporate rights, privileges, and franchises heretofore conferred on the said Belt Railway Company by the act of Congress approved March 3, 1875, and the acts amendatory thereof and supplemental thereto, as well as the right to be a corporation under this act; and the incorporation as hereby provided shall be completed and become effective whenever the said purchaser or purchasers and his or their associates or assigns shall file for record with the recorder of deeds for the District of Columbia a certificate of incorporation hereunder, duly acknowledged, specifying the name of such new corporation, its officers, and the names of its directors for the first year, and the amount of its proposed capital stock and bonds. The capital stock of the corporation herein authorized shall be divided into shares, each of the par value of \$100; and any corporation so purchasing or so created and organized hereunder is authorized to issue its bonds and capital stock either for cash or in exchange for the stock, bonds, property, or franchises of the said Belt Railway Company: *Provided, however,* That the total issue of said bonds and stocks shall not in the aggregate exceed the amount necessary for effecting any such purchase and for the construction, reconstruction, and equipment of said Belt Railway; and before any bond or trust deed shall be executed the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpoena and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further,* That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia; and all bonds or stock issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void. And within one year from the ratification by the court of such sale the existing railroad company purchasing the said Belt Railway, or the corporation created and operating hereunder, shall, under the supervision of the Commissioners of the District of Columbia, construct and put into full operation on the entire line of said railway as now constructed an underground electric system similar to the one now in use by the Metropolitan Railroad Company, upon plans to be submitted to and approved by the said Commissioners. And the said Commissioners are hereby authorized to require such slight changes of route along the streets upon which the said Belt Railway is now constructed as may be necessary for the public convenience, and all expenses incident thereto to be borne by said railway company. And the right is hereby expressly reserved to Congress to require at any time the owner or owners of said railroad to widen any of the streets along or over which said railroad line is now constructed, or to change the route thereof, and the entire expenses of such widening of such street and all expenses incident or to a change of route thereto shall be borne by the owner or owners of said railroad."

SEC. 2. That the purchaser or purchasers of the said Belt Railway shall, immediately after said purchase shall have been ratified as herein provided

for, begin the construction of the underground electric system herein provided for; and if said system shall not have been completed at the expiration of one year from the ratification of the purchase of said railway as authorized by this act the purchaser or purchasers thereof shall pay to the District of Columbia, in addition to all other taxes now required to be paid by the said Belt Railway Company, or by the purchaser or purchasers thereof, the sum of \$50 for each and every day thereafter until said road shall be completed.

"SEC. 3. That the company or corporation installing an underground electric system under authority of this act shall deposit such sum or sums as the Commissioners may require to cover the cost of District inspection and the cost of changes to public works in the streets.

"SEC. 4. That nothing herein shall be construed to relieve the said Belt Railway Company from any just liability, nor in any manner as affecting any valid subsisting claim of any creditor against said corporation.

"SEC. 5. That Congress reserves the right to alter, amend, or repeal this act."

Mr. HEPBURN. Mr. Speaker, I desire to reserve the point of order against the bill.

The SPEAKER. The gentleman will state the point of order.

Mr. HEPBURN. On a previous day, Mr. Speaker, a bill was pending that contained some of the provisions embodied in this bill. I refer to the bill H. R. 6148. That bill was considered by the Committee of the Whole, and a number of important amendments were placed upon it, and while in that condition it was recommitted to the Committee on the District of Columbia with instructions to amend the bill by striking out all after the word "that," in the third line, and bring in a section or sections authorizing the Eckington and Soldiers' Home Railroad Company and any other corporation of the District of Columbia or any person or persons to become a bidder and purchaser of the property and franchises described in this bill, and to further provide that said committee shall also provide specific limitations and specifications under and by which said property shall be operated by any such purchaser.

Now, the committee have apparently introduced two bills, in neither of which are all of the instructions to the committee observed. In the one bearing the title of the Eckington bill none of the provisions are referred to, while in this bill only one is observed. I raise the point of order that the committee have not observed the instructions of the House in its recommitment to them.

Mr. BABCOCK. Mr. Speaker, in answer to the gentleman from Iowa, I desire to say that the instructions were prepared very hastily here on the floor and were somewhat ambiguous. The committee has complied with the instructions as nearly as possible.

The former Eckington and Belt Line bill provided for a new corporation—that the Eckington might be permitted to consolidate with other lines and make out of the combination a new corporation. That is dropped out entirely in this bill. All the effect of this bill is to provide that anyone buying the Belt Line road under the decree of the court, shall be authorized to organize and operate that road; and complying with the instructions the committee specify how it shall be done; that is to say, that they shall proceed at once to establish an underground electric system and comply in other respects in every detail possible with the provisions embodied in the instructions. Now, the other bill for the Eckington road, stripped of all these provisions, with permission to change its title, has no connection with this line at all. That simply provides, practically, that they must put an underground electric system in, and authorizes them to issue bonds for that purpose.

The SPEAKER. Then this is not the bill that was recommitted?

Mr. BABCOCK. No, sir; it is an entirely different bill. That was the Eckington and Belt Line bill. This only provides for the one single thing, to give everybody, either corporations or persons, a right to bid at the sale of the road.

Mr. GROSVENOR. Mr. Speaker—

Mr. RICHARDSON. If the gentleman will permit me, in addition to what the gentleman from Wisconsin has said, I know that an endeavor was made in committee to comply fully with the instructions.

Does the gentleman from Ohio desire to proceed now? If so, I will yield to him.

Mr. GROSVENOR. I wish only to make a brief explanation in regard to the instructions.

Mr. RICHARDSON. I yield to the gentleman, for we were endeavoring to comply with the instructions, and I believe we asked the gentleman from Ohio to assist us in making up a bill that would comply with them.

Mr. GROSVENOR. I wrote the instruction very hastily, Mr. Speaker, on my desk while the debate was running, the time having almost elapsed, and I should like to suggest to the gentleman that something was put into that instruction by the gentleman from Mississippi [Mr. WILLIAMS] limiting the time of the charter. That I was not responsible for.

Mr. BABCOCK. This does not provide for any new charter or include the limitation at all. We have eliminated that.

Mr. GROSVENOR. That meets that view of it?

Mr. BABCOCK. Yes.

Mr. GROSVENOR. Now, it came to me afterwards that in

drawing that part of the instruction I had stricken out some things that ought to be retained in the bill. Of course I said I was only after one solitary thing, and that was to give the fullest power of purchase to everybody, and that when that was complied with, if there was anything which had been unintentionally stricken out, why, of course, it ought to be put back in.

Mr. RICHARDSON. I want to say, if there has been anything left out, it was unintentional, and we are ready now to accept any amendment to open the bids not only to other street railway corporations, but to individuals. We wanted the widest limit given in this sale to bidders, and if the gentleman from Iowa [Mr. HEPBURN] can suggest any amendment, I have no doubt the committee will cheerfully accept any amendment extending the object and purpose and scope of this bill. I know there was no intention to disregard any instruction, and as stated by the gentleman from Wisconsin [Mr. BABCOCK], it was the Eckington bill which was then pending, and this bill does not mention the Eckington road, and has no connection with the Eckington road. It is simply for the purpose of increasing the possible bidders at the Belt Line sale. There is a bill which will come up later, I am informed and believe, that will cover the rights of the Eckington road, but this bill does not.

Mr. ODELL. I should like to ask the gentleman a question. At the hearing at which this bill was presented by the attorney the question of the issue of the capital stock was brought up and the suggestion was made that it was possible under the provisions of this bill to issue stock for the worthless stock and bonds of the old Belt Railroad. I was not present at the last meeting, and I should like to ask whether the bill has been so amended as to provide against that?

Mr. RICHARDSON. We so understood it. We undertook to do so, and we think the language of the bill, as prepared by my colleague [Mr. KING] and the gentleman from Wisconsin [Mr. BABCOCK], prevents that.

Mr. ODELL. I see, on page 4, lines 31 and 32, that—

The capital stock of the corporation herein authorized shall be divided into shares, each of the par value of \$100; and any corporation so purchasing or so created and organized hereunder is authorized to issue its bonds and capital stock either for cash or in exchange for the stock, bonds, property, or franchises of the said Belt Railway Company.

It seems to me that permission ought not to be given.

Mr. BABCOCK. If the gentleman will read further, he will find the full provision protecting all interests, that they must go before the Commissioners and establish the actual value; and then there is the right of appeal to the supreme court of the District of Columbia before the stock can be issued. That is the provision drawn by the attorneys on the committee, intended to cover the very point mentioned.

Mr. ODELL. I did not know that had been done.

Mr. GROSVENOR. I think that is a good provision.

The SPEAKER. The question is on the point of order, and the Chair would like to understand how that can be applicable to a bill that is not before the House?

Mr. GROSVENOR. I think it does not apply to this bill.

Mr. HEPBURN. My recollection is, Mr. Speaker, that the provisions of this bill in part, and the provisions of the Eckington bill, were included in one bill before. Now, the committee have attempted to avoid the instruction by a separation.

Mr. BABCOCK. Oh, no.

Mr. HEPBURN. And the introduction of two independent bills. I contend that the provisions, in the main, were in the other bill, and while there might have been some such bill as this pending, yet I submit that its adoption and the mutilation of another, in which, perhaps, some of the provisions required by the instructions are observed, is not a compliance with that order, and if the Speaker will permit me, I will read from their report:

In compliance with that portion of the instructions which looked to the enabling of all existing railroad corporations or parties who might desire to organize as such corporation to become bidders and purchasers in the pending foreclosure sale of the Belt Railway, the committee has recommended for passage an independent bill (H. R. 8541).

Now, there is a confession of just what I am contending for, that they have attempted a partial compliance—because I want to say that two or three of the instructions are absolutely ignored in both bills—but a partial compliance with that instruction in an independent bill, they say.

Mr. BABCOCK. I wish the gentleman would allow me.

Mr. HEPBURN. And the gentleman in this bill recognizing the necessity of observing the instructions, they have acknowledged that they have attempted to evade it.

Mr. BABCOCK. Will the gentleman permit a question?

Mr. HEPBURN. Certainly.

Mr. BABCOCK. Will you be kind enough to state where there is a single instruction omitted from this bill? This bill is an independent measure and has nothing to do with the consolidation of the Eckington or Belt Line roads. Every instruction as to the framing of the other bill has been followed.

Mr. HEPBURN. I call your attention to the further limitation provided.

Mr. BABCOCK. We have already attended to that.

Mr. HEPBURN. The gentleman disposes of that part by the suggestion that it was crude—

Mr. BABCOCK. No, sir.

Mr. HEPBURN. A crude provision; that the instructions to the committee were hastily written here upon the floor in the excitement of the debate.

Mr. BABCOCK. I would make that clear if the gentleman would give me the time.

Mr. HEPBURN. That the instructions were not to be considered by the committee, although that part of the instructions was adopted after debate, was adopted by the House, and was as much a part of the instructions as any other of the four or five provisions contained in the instructions.

Mr. GROSVENOR. If the gentleman will permit me, our construction of the former bill was that it created a new corporation.

Mr. BABCOCK. That is it exactly.

Mr. HEPBURN. The action of the gentleman is very different now with this bill to what it was the other day.

Mr. GROSVENOR. The difference is that this is not an attempt to create a new corporation.

Mr. HEPBURN. The gravamen of the gentleman's charge the other day was that a person had a private debt of \$9,000 against this company for which no provision had been made, and he had read a long argument by an attorney upon that proposition. Now the suggestion that he makes had no part or place in the contention that he was urging the other day.

Mr. RICHARDSON. Will the gentleman allow me? I do not want to break into your argument.

Mr. HEPBURN. Yes, sir.

Mr. RICHARDSON. The other day the bill pending provided for a new corporation.

Mr. HEPBURN. That was one of the provisions.

Mr. RICHARDSON. I know; but the gentleman is now proceeding with an argument that this bill creates a new corporation upon which we can put a limitation. Now, the point I desire to make is that this bill does not create a new corporation, and therefore no instruction could have related to this bill, or this legislation, and would not be germane, because there is no new corporation created. Therefore, you can not put a limitation on it. When we come to the Eckington bill, if a new corporation is created there, then the question of whether you put in a limit or not would be in order to be discussed; but not on this bill, which does not create a new corporation.

Mr. HEPBURN. The House the other day, in discussing this bill and its amendments, discussed and adopted an amendment in which the principle of consolidation of roads was clear in the provision of the bill as amended by the House, the amendment being accepted.

Mr. RICHARDSON. But that was no part of the instruction to the committee.

Mr. HEPBURN. That bill authorized any corporation to become the purchaser of this particular line or of any other line in the city; and the argument, largely, in the consideration of that bill turned upon that power which was desired to be given for consolidation. That is entirely eliminated here. That instruction provided to strike out all after the word "that," the idea of the instruction clearly being that the essential features of that bill were to be retained and that these propositions referred to were to be additional sections.

Mr. RICHARDSON. Now, Mr. Speaker, if the gentleman will pardon me, he is assuming that the amendments which he had proposed and which were adopted by the House were a part of the instructions of the gentleman from Ohio. This is not the case. He is not correct in his assumption. The House passed the instructions, and we have complied with the instructions. While his amendment was adopted, it was no part of the instruction of the gentleman from Ohio, and was not included in the instruction. And this bill includes in substance the amendment offered by the gentleman from Iowa. His amendment is substantially in the bill.

Mr. HEPBURN. Now I will read:

Amend the bill by striking out all after the word "that," in the third line, and bring in a section or sections authorizing the Eckington and Soldiers' Home Railway Company and any other corporation of the District of Columbia or any person or persons to become a bidder and purchaser of the property and franchises described in this bill, and to further provide that said committee shall also provide specific limitations and specifications under and by which said property shall be operated by any such purchaser, and with further instructions that a period of limitation be fixed in the bill for the exercise of the corporate rights and privileges granted.

Now, these are the instructions that were given, and while there is that provision to strike out all after the word "that," the balance of the instructions clearly imports that what was in the bill at that time was to be preserved and that whatever was to be had was in the nature of additional sections. If the gentleman had taken that literally, there could have been no additional section.

The instructions, in my judgment, fairly considered, require them to make certain additions and report that which was in the bill in the form of additional sections.

Mr. GROSVENOR. Mr. Speaker, I desire to call the attention of the House and the gentleman from Iowa [Mr. HEPBURN] to the particular objection that I made to the passage of the bill as it stood before. I said nothing in the whole of that argument, as I recollect it, about anybody's claim; somebody said something to me about a claim. This is what I said:

Mr. GROSVENOR. Now, Mr. Speaker, this is the situation: Gentlemen come here now and say that they can not take this property out of the hands of the court without a decree of the court permitting it to be done. So they propose to sell this property, to sell these franchises, to authorize the creation of a new corporation, to transfer these rights of way and the material property of the companies into the hands of a new corporation, and let that new corporation take what it can get at the hands of the United States courts.

Mr. BABCOCK. Will the gentleman name the new corporation?

Mr. GROSVENOR. The new corporation is very manifestly exactly what the gentleman from Iowa [Mr. HEPBURN] says it is. It is the Eckington and Soldiers' Home Railroad Company, afterwards to have a new name given to it.

Mr. BABCOCK. After the purchase or lease of these other properties, then they are simply authorized to change the name of them all. There is no new corporation.

Mr. GROSVENOR. That is a new corporation to all intents and purposes. If that is not so, then what is the necessity of a sale of the rights and franchises of the two or three corporations to another corporation?

There is some further argument on the same subject to show what my principal objection was. It will be found further in the debate that I called upon the gentleman from Wisconsin [Mr. BABCOCK] to tell me what the franchises of the Belt Line Railroad were, and he said he could not tell. I said I would not consent to transfer to a railroad corporation of to-day the franchises that had been conferred upon a railroad corporation at some former day. Now, if that objection has been gotten rid of by a new bill that has no relation to the old, I do not see how it can stand under a point of order that the committee has gone outside of the instructions given.

Mr. HEPBURN. Mr. Speaker, I will withdraw the point of order. I have an amendment which I will offer at the proper time.

Mr. GROSVENOR. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 2 by inserting, after the word "for," in line 3, the following: "And before any permit shall be issued to begin such work, pay all taxes and special assessments due and unpaid to the District of Columbia, and all indebtedness due the employees for labor, or due others for coal, feed, horse-shoes, and other supplies contracted for by the receiver of the said Belt Railway Company, duly appointed by the court, and used on behalf and for the benefit of said company during such receivership, and to be approved by the court appointing said receiver, and shall."

Mr. GROSVENOR. Mr. Speaker, I think there is no objection to that amendment. It has been submitted to gentlemen on the other side, and I have made the change that gentlemen have requested.

The amendment offered by Mr. GROSVENOR was agreed to.

Mr. BABCOCK. Mr. Speaker, I now yield to the gentleman from Utah [Mr. KING] for the purpose of offering an amendment.

Mr. KING. Mr. Speaker, inadvertently the word "stock" was omitted from the printed bill. I therefore move to amend by inserting, on page 5, line 38, after the word "bond," the word "stock;" so that it will read "any bond, stock, or trust deed."

The amendment was agreed to.

Mr. BABCOCK. Mr. Speaker, I now yield to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Insert, at end of section 2, page 6, the following:

"Provided, That any corporation owning or operating a railroad in the District of Columbia shall have the power to purchase any connecting or intersecting line, and to issue stock and bonds therefor not exceeding the actual consideration paid; And provided further, That only one fare shall be charged for a continuous ride over such connecting or intersecting lines so consolidated."

Mr. BAILEY. Mr. Speaker—

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. BABCOCK. I will yield to the gentleman from Texas.

Mr. BAILEY. That amendment seems to authorize the purchase or consolidation of all street railway lines within the city. Is that the purpose of it?

Mr. BABCOCK. That is the purpose of the amendment, to authorize one street railway line to buy out another.

Mr. HEPBURN. But to charge only one fare upon any line it may operate?

Mr. BAILEY. Of course they ought to charge but one fare on one line, even though it may have branches. It does not occur to me, however, that in a bill affecting a single company any such general policy as that ought to be incorporated. I believe this

bill is an entirely proper one. The president of the company I have known since I was a child, and there is not a man of higher character in the United States, and on his account I took the trouble to investigate it. But I do not believe that any such policy ought to be entered upon even as a general proposition, and especially not in a bill that merely authorizes the purchase of an insolvent corporation.

Mr. BARRETT. Mr. Speaker, if this amendment should be adopted, it ought to be accompanied with the proviso as to the issue of stock and bonds that is in the bill, beginning in line 34, page 4, and continuing on page 5.

If we are going to authorize a general consolidation, we ought to adopt some limitation in regard to the issue of stocks and bonds for that purpose. If the gentleman from Iowa proposes to press his amendment, I ask him to incorporate therewith the same conditions applied in this bill to the single road to which it relates.

Mr. SHERMAN. Is not this amendment practically the same that was voted down a week ago as an amendment to the Capital Traction bill?

Mr. BABCOCK. It is practically the same. That was rather more elaborate and far-reaching than this.

Mr. SHERMAN. But this amendment covers the same ground in permitting consolidation of various roads and the issuing of bonds, stocks, etc. Practically it is the same thing.

Mr. COWHERD. The gentleman from New York [Mr. SHERMAN] has just suggested a point to which I was about to call the attention of the House—that this amendment was before the House on the last District day and was voted down on a yea-and-nay vote.

One other matter I wish to state. In the city where I reside we have had experience of a law practically the same as the amendment offered by the gentleman from Iowa, and according to our experience such a law operates very much to the disadvantage of the citizens. Where all the street railways are permitted to consolidate, the service becomes much poorer, and the citizens profit in no way by the arrangement. There is some profit to the railway companies, and they make a saving of the expenses of operation; but it is a saving which operates to the disadvantage of the citizen. I think the amendment should be voted down.

Mr. HEPBURN. I wish to say a word in support of this amendment. I think it is a wise one and in its effect can be only beneficial. It does away with the office expenditures resulting from a multiplicity of corporations; it practically limits that class of expenditures to those of a single organization. And it makes cheaper fares possible. I want gentlemen to remember that this matter of fare is within the control of this body; that whatever can be saved by the corporations in the way of expenditure can be made to inure to the benefit of the people of the community. Again, if but one corporation should operate the different lines of railway under this provision, but one fare could be charged. The lines would be operated with reference to some continuous system. There would be infinitely more convenience to the people than under a variety of different lines.

In localities where the municipal authorities have not absolute control in the matter of fares, etc., the difficulties which gentlemen have spoken of might be experienced. But here, if the service is inefficient, we can make it efficient. If these corporations should become lax in the discharge of their public duties, we can compel them to pursue a proper policy. And, as I have remarked, if expenditures can be saved by the roads we can make that saving inure to the benefit of the public. I think that all conditions of economy and better service require the adoption of this amendment.

Mr. COCHRAN of Missouri. Mr. Speaker, I rise to a parliamentary inquiry. I desire to know whether the bill now under consideration is reported in response to the instructions given to the District Committee when the bill was formerly under consideration?

Mr. BABCOCK. This bill was not under consideration before.

Mr. COCHRAN of Missouri. Is the bill now under consideration brought here in response to the instructions under which the original bill was recommitted?

Mr. BABCOCK. Yes; it complies with the instructions adopted in the case of the Eckington and Belt Line Railroad.

Mr. COCHRAN of Missouri. Then I make this point, that this section having been disposed of when the original bill was under consideration, and that bill having been recommitted with instructions, it is not in order now to incorporate in the bill a section which was voted down on a previous occasion on a yea-and-nay vote.

Mr. RICHARDSON. The point of order comes too late, as the amendment has been discussed.

The SPEAKER. In the opinion of the Chair, the point of order comes too late.

Mr. RICHARDSON. I suggest to the gentleman from Iowa [Mr. HEPBURN] that he accept the proposition of the gentleman from Massachusetts [Mr. BARRETT].

Mr. HEPBURN. I am willing to do that.

Mr. RICHARDSON. I think the gentleman ought to do so, because the proposition of the gentleman from Massachusetts is to place a limitation on the issuance of stock, etc.

Mr. BARRETT. If my proposition be adopted as an amendment to the amendment of the gentleman from Iowa, the amendment as amended may then be disposed of on its merits. I move to amend the amendment of the gentleman from Iowa by adding to it the provision which I ask the Clerk to read.

The Clerk read as follows:

Provided, however, That the total issue of said bonds and stocks for such consolidation shall not in the aggregate exceed the amount necessary for effecting any purchase; and before any bond, stock, or trust deed shall be executed the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpoena and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue; *And provided further,* That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia; and all bonds or stock issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void.

The SPEAKER. The question is on the amendment of the gentleman from Massachusetts [Mr. BARRETT] to the amendment of the gentleman from Iowa [Mr. HEPBURN].

Mr. BABCOCK. Mr. Speaker, this is an amendment to an amendment, which should be offered together with the original amendment. In other words, if the first amendment is to be considered at all, this should go with it.

The SPEAKER pro tempore (Mr. PAYNE). The Chair understands the gentleman from Iowa to accept the amendment proposed by the gentleman from Massachusetts to his proposition?

Mr. HEPBURN. Yes, sir.

The SPEAKER pro tempore. That will make it one amendment.

Mr. NEWLANDS. Mr. Speaker—

Mr. BABCOCK. Mr. Speaker, I believe I still have the floor?

The SPEAKER pro tempore. The gentleman from Wisconsin is entitled to the floor. Does the gentleman yield?

Mr. BABCOCK. I yield ten minutes to the gentleman from Nevada.

Mr. NEWLANDS. Mr. Speaker, so much misapprehension has existed in reference to the railroad situation in the District of Columbia that I have often been tempted to make a statement to the House regarding the matter, and have been prevented only by the fact that I have a considerable interest in one of the railroads of the city, the Capital Traction Company. This, however, is a bill affecting certain railroads in the city of Washington in which I have no interest whatever, and if the House will bear with me for a while, I wish to say a few words in reference to the general railroad system here, and I believe they will throw some light on the legislation now before us.

Some years ago I, before I became a member of Congress, associated with others, organized what is known as the Rock Creek Railway Company, for the purpose of constructing a railroad from the city of Washington to Chevy Chase. We got a franchise allowing us to run a line along U street, and also along Connecticut avenue extended. The most onerous obligations were imposed upon us in connection with that franchise. We were obliged to build two bridges for the general use of the public as well as the railroad, at a cost of some \$200,000 to the corporation. We graded Connecticut avenue from end to end, at a cost of about \$300,000. We acquired the title to the street itself at our own cost and turned it over to the District of Columbia. We constructed the road with a total expenditure of about \$1,500,000—not a dollar of water in it; and having done so, having introduced the underground electric system, then regarded as a rash experiment, and having proved its practicability, we sought to obtain access to the central portions of the city.

We were opposed on the one hand by the existing street railway lines—that is to say, those with which we might come in competition—and on the other by the property owners along the line, who always wanted a railway on the street next to that on which their houses fronted, but not on their own street. We found it difficult, therefore, to get to a central point in the city, and so we came to Congress and asked them to give us power to acquire by purchase or lease a connecting or intersecting line that would enable us to accomplish the object we had in view. There were three such connecting lines. Our first idea was to buy one of the bankrupt railroads now seeking legislation at the hands of Congress. But the final result was that our company bought the Washington and Georgetown Railroad—

Mr. RICHARDSON. The largest corporation in the city.

Mr. NEWLANDS (continuing). The Washington and Georgetown Railroad, under which purchase we were obliged to cut down our stock from \$1,500,000 to \$1,250,000. We acquired their road for a sum upon which, capitalized, the existing income would pay about 4 per cent, and the stockholders took their pay in stock of the Rock Creek Railroad Company, which was authorized by law to change its name to the Capital Traction Company. Then

there was authorized a stock issue of \$12,000,000 without bonds, \$1,250,000 of which went to the stockholders of the Rock Creek Railway Company, now the Capital Traction Company, and \$10,750,000 to the stockholders of the Washington and Georgetown Railroad Company, the oldest railroad in the District, having the most valuable property and franchises in the District.

Now, Mr. Speaker, that transaction has been attacked since it was consummated. It can not, however, be attacked on business principles. We simply allowed that company a sum upon which its income would have enabled it to pay between 4 and 5 per cent.

But as an illustration of the mutations of fortune in railway ownership in the District of Columbia, let me say to you that within a year after the confirmation of that purchase the Metropolitan Railroad Company, under the whip and spur of legislation requiring them to change their system from horse to rapid transit, after a loss of \$500,000 in experimental work with electricity and storage batteries, put in an underground electric system, thereby completing the most magnificent street railway system now in the world.

As the Metropolitan lines were competitive, being nearly parallel, the effect of the superior service of the Metropolitan system over the cable was such that it took very nearly \$200,000 from the gross annual revenues of the Capital Traction Company, which meant nearly one-half of its net revenue. So serious was the effect upon the stock that it fell from \$80 per share down to \$63 a share. Then, later on, came this casualty, the destruction of the power house of the Capital Traction Company by fire, and owing to that the stock fell to \$50 a share. It has partially revived, owing to the energetic efforts made for the installation of an underground system.

So much, then, for the stock that was issued. Recollect this did not impose any burden whatever upon the community. While there was a nominal issue of \$12,000,000 of stock, based upon existing values at that time, within two years, as the result of competition and casualty, the market value of that stock was reduced to \$6,000,000. Now, how did the public fare? Was any burden imposed upon them? No. They were charged the same fare, receiving six tickets for a quarter, or 4½ cents per fare, and the ride was extended over 13 miles of single track additional for the same fare. That consolidation was a benefaction to thousands of people who are obliged to remain here during the hot weather and seek the recreation of a ride and the purer air of the country for a merely nominal sum. A ride is now given by that railroad for 4½ cents which formerly could be secured only by an expenditure of from two and a half to five dollars for a buggy.

Now, I want to call your attention to another thing, and that is that Congress has the supreme power over these corporations. They are mere tenants at will. You fix no term—

Mr. COWHERD. May I ask the gentleman a question?

Mr. NEWLANDS. Yes.

Mr. COWHERD. Do you not know that these corporations and their attorneys claim that that clause "to alter, amend, or repeal" is not operative after they have issued bonds under authority of Congress, as far as the repealing clause goes, and that they are not tenants at will, but have a franchise in perpetuity?

Mr. NEWLANDS. I do not know what they claim. I do not claim any such thing. I simply say under the law—

Mr. HOPKINS. How could that be true, when it is a part of the act of incorporation and the bondholders have notice of the existence of that clause?

Mr. RICHARDSON. In the enabling act.

Mr. COWHERD. I understood the gentleman to be speaking as one interested in the railway companies. It is a fact that the attorneys for these railway companies do make that claim and did make it before the committee.

I believe there is this much force in it, that when Congress gives to any corporation the right to issue bonds, then the right reserved to alter, amend, or repeal is limited to this extent, that Congress can not do it to the ruination of the security of those bonds that they have authorized to be issued.

Mr. NEWLANDS. I do not pretend to place any limitation on the imagination of lawyers, of course, but all I can say is that the language of the act is clear and explicit and that the action of Congress has uniformly been in accordance with the reservation of this power. And I can demonstrate it to you in a few moments.

Congress, and not the railroads, determined that the city should have rapid transit. The first step was when the Capital Traction Company put in a cable system, upon which it expended \$4,000,000, a system which within five years it has been obliged to abandon, owing to the advance of the times.

Congress applied the whip and spur to the Metropolitan Railroad, forcing it year after year, by resolutions and by legislation, to hurry its preparations for rapid transit. That corporation expended \$500,000 in experiments on storage batteries, and it was money thrown away. They did it under the direction of Congress, under the threat of the withdrawal of this mere tenancy at

will which they exercised over the streets. That threat was exercised at every stage of the procedure. Then, later on, they compelled them to put in the underground electric system, at an expenditure aggregating nearly \$3,000,000. That was accompanied with the imposition of the obligation upon them of paying a claim of the city of \$200,000 against them for alleged work done upon the streets between the tracks under the old dispensation.

Mr. RICHARDSON. Fifteen years before.

Mr. NEWLANDS. Fifteen years before, a claim which the Metropolitan Railway Company had successfully defended, and in which they had beaten the city in the court of last resort. They did this under the threat—

Mr. BABCOCK. It was not as large a claim as the gentleman states. It was forty or fifty thousand dollars.

Mr. RICHARDSON. It was originally \$137,000, and the interest would have made it much larger, but it was subsequently compromised for a smaller sum.

Mr. NEWLANDS. I understand that it was \$200,000, but that later it was cut down to less than \$100,000.

Mr. RICHARDSON. That is right.

Mr. BABCOCK. Congress did not require them to pay \$200,000, but provided that they could go before the courts and establish this matter of a claim of between forty and fifty thousand dollars.

Mr. NEWLANDS. Well, my recollection was that at one time the claim was as much as \$250,000. Of course the information of the gentleman is more accurate than mine, but I remember there was a hard fight, running over two or three years, and that at one stage of the proceedings this obligation was imposed as the condition of an extension of the time during which the underground system was to be introduced. And at every extension, if my recollection is right, there was the accompanying threat of the withdrawal of the franchise unless the work was done. Congress has exercised the right over fares, reducing them from the normal fare of 5 cents all over the country to 4½ cents. It has the power of taxation. It imposes a tax of 4 per cent as a mere franchise tax, a tax of 4 per cent upon the gross receipts of these railroads.

It is proposed to increase that tax five-eighths of 1 per cent now, and if it chooses to exercise the power, it can increase it 2, 3, or 4 per cent additional. So that you see, between the power of taxation and the power of regulating the rate, Congress at all times has all these corporations in its power. It can force reasonable and proper service for the public and reasonable fares for the public and absolutely protect the community from all extortion. And also, as far as this power to purchase and acquire connecting and intersecting lines, it seems to me it is simply a power that accords with modern requirements.

You say it enables these companies to issue stocks and bonds. Why, the amendment suggested simply gives power to issue stocks and bonds for the actual consideration paid, and the amount must be approved by the Commissioners of the District of Columbia; and if even an excessive amount is issued, it can not change the fare or the tax, and it does not change the power of Congress ever to increase the tax or to reduce the fare. It makes no difference what the nominal capitalization of these roads is, the power over the service, the fares, and the taxes of these roads is so ample as to absolutely protect the community at large.

Now, this is a road in which I have no interest. I have witnessed the struggle of the people interested in it. I know the Philadelphia gentlemen who bought the Belt and Eckington lines, six or seven years ago, in the hope that they could introduce the overhead trolley, as they had in other cities, have lost \$1,300,000 in their efforts to reconstruct those roads according to their custom in other places. They have dropped them, and they have now fallen into other hands. The existing stock will probably be wiped out; probably quite a portion of the bonds in this process of reconstruction.

It is a question whether, under the onerous conditions imposed by Congress, compelling the expensive underground electric system, they can pay any interest on the investment; and if either of these roads can be purchased by an intersecting line, so as to complete its system and carry its passengers east and west and from north to south, it seems to me that Congress should not place any obstruction in the way. The general attacks that are made upon consolidation and watering of stock do not apply to the conditions in the District. The issue of stock and bonds is guarded. It requires the sanction of the District Commissioners, and whatever that issue of stock or bonds may be, you have absolute control, not only of the manner in which these railroads shall conduct them, not only as to the service which they shall give to the public, as witnessed by the onerous, not to say oppressive, legislation aimed against all of them in the last five or six years, imposing rapid transit, but also the power of reducing fares and increasing taxes.

When all the lines of the city shall be thoroughly equipped, as the Metropolitan system is to-day, with the underground electric system Washington will surpass every city in the world in its splendid railroad system. Meanwhile, if economy of operation,

efficiency of service, and continuousness of ride can be secured by enabling these lines to acquire connecting lines the power should be given in the hope that it may be fully exercised.

Mr. BABCOCK. I yield to the gentleman from Utah.

Mr. KING. Mr. Speaker, the amendment which has been offered for the consideration of the House is substantially the same as that which received the consideration of the committee a few days ago. I concede there is great force in the argument which has been made by the gentleman from Nevada [Mr. NEWLANDS]. I further concede that there may be many occasions when consolidation of railroads is desirable, and that the result may prove beneficial and advantageous to the general public; but I am opposed to this amendment because, first, it has not received proper consideration. The subject before the House relates to the Belt Railroad and the means by which an opportunity for that railroad company to properly reequip itself may be given if it shall be sold and purchased by some other company. The proposition embodied in this amendment goes to the extent of permitting complete consolidation of all the street railroads within the District of Columbia.

The amendment does not, in my judgment, properly guard all the questions which may be involved by an extensive consolidation. If Congress did not meet frequently, if there was a great necessity or some great emergency now requiring the consolidation of the various roads, there might be some strong reason why the amendment should prevail; but it does seem to me that to attach to this bill a general amendment permitting one railroad corporation, without further restrictions, without further consideration, to absorb all the railroads within the District of Columbia is legislation which ought not to receive the approval of this House. There may come a time when we shall desire, under proper restrictions and regulations, that all the railroads of the District shall be consolidated into one.

But look at the provisions of this amendment. It is clear that they provide merely for the regulation of the issue of stock and propose a slight amendment in respect to the fare which shall be imposed for transit. I can conceive of numerous provisions which might be deemed indispensable if such legislation as that contemplated by the amendment is desired; and if it is desirable to provide a general system of consolidation, it seems to me that the subject is of too much importance to be treated in this manner. It demands an independent bill properly considered and digested.

And so, without particularly animadverting against the scheme of consolidation, I believe that it would be improper now, without further consideration of the subject, to adopt this amendment, which grants, without further restriction, to any of the railroad companies of the District a right to absorb the rest. I may say that the general proposition of consolidation has many features of disadvantage. One of them, alluded to by the gentleman from Missouri [Mr. COWHERD], certainly deserves consideration at the hands of the members of the House. I think the amendment, especially in view of the decisive action of the House a few days ago, ought not to receive the approval of this House.

Mr. BARRETT. Will the gentleman from Wisconsin permit a question?

Mr. BABCOCK. Certainly.

Mr. BARRETT. I shall have to ask this question by making a statement. In its instructions voted by the House February 14, was the instruction, among other things, to allow certain railroad corporations, or any other corporation, or any person or persons, to make a bid for this property. Now, I find in this bill as reported that, while corporations are allowed to bid, no other person or persons are allowed to do so.

Mr. BABCOCK. If the gentleman from Massachusetts will read a little further he will find a provision for persons to buy; it had to be incorporated in two separate places.

Mr. KING. Will the gentleman from Massachusetts permit me to say a word right here?

Mr. BARRETT. Yes.

Mr. KING. I think if the gentleman from Massachusetts will reflect he will come to the conclusion that it does not need legislation to permit a private person to buy the property of a corporation. The question, of course, will suggest itself whether by the purchase of the property at foreclosure sale the person is eo instanti invested with the franchise and all rights that appertain to the corporation, including the power of becoming a corporation. I think the answer would be in the negative, but there would be no question but that the person would have the right to purchase the property. But a corporation can not purchase, notwithstanding it had funds at its disposal, unless there was a provision of the charter authorizing it to do so.

Mr. BARRETT. Do I understand in the proposed amendment on page 3, where it says that any corporation may do so and so, that that carries with it the implication that any private person may do the same thing?

Mr. KING. If the gentleman is addressing his remarks to me, I will say that it does not need any legislation to permit a private person to do so; but we have provided in the bill that if a person

or persons desire to purchase and do purchase in order that they may invest themselves with all the rights that belong to corporations they may avail themselves of such opportunity by coming in under the general incorporation act of the District.

Mr. BARRETT. I only rose to ask a question, and if the statement made by the gentleman from Utah is correct, that answers my question.

Mr. KING. I think it is entirely correct.

Mr. ODELL. Mr. Speaker—

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from New York?

Mr. BABCOCK. I yield one minute to the gentleman from New York.

Mr. ODELL. Mr. Speaker, I want to place myself on record as against this amendment. I think the subject should be considered by a committee and not come into the House in the form of an amendment that no one understands. I am very much opposed to it, and hope that it will not be agreed to.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. BARRETT] to the amendment offered by the gentleman from Iowa [Mr. HEPBURN].

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the amendment as amended offered by the gentleman from Iowa [Mr. HEPBURN].

The amendment was disagreed to.

The SPEAKER. The question is on agreeing to the substitute recommended as an amendment by the committee.

The amendment was agreed to.

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

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

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 6148, a bill to amend the charter of the Eckington and Soldiers' Home Railway Company, of the District of Columbia, the Maryland and Washington Railway Company, and the Belt Railway Company, and for other purposes. The Clerk read as follows:

Be it enacted, etc., That the Eckington and Soldiers' Home Railway Company of the District of Columbia be, and it is hereby, authorized to consolidate with or to acquire by purchase or lease the property and franchises of the Maryland and Washington Railway Company, the Belt Railway Company, and any railway company formed under the laws of the State of Maryland for the purpose of owning and operating a railway line from the District of Columbia to the town of Laurel, in the State of Maryland, or any one or more of said companies; and the said Maryland and Washington Railway Company and the Belt Railway Company, or either of said companies, is hereby authorized to consolidate with or sell or lease its property and franchises to the said Eckington and Soldiers' Home Railway Company of the District of Columbia: *Provided, however,* That any such sale, lease, or consolidation shall be first approved by a majority of the stockholders of each of the corporations so buying, selling, leasing, or consolidating.

SEC. 2. That the said Eckington and Soldiers' Home Railway Company of the District of Columbia, or any consolidated company which may be created and organized under the provisions of this act, be, and it is hereby, authorized to issue mortgage bonds for the purpose of effecting such purchase, lease, or consolidation and for the purpose of constructing, reconstructing, or equipping any of its own lines, or the railway lines of any of the railway companies mentioned in this act, and to secure said bonds by a mortgage or deed of trust of all of the property and franchises owned or controlled by said corporation to such an amount and upon such terms as may be agreed upon by the majority of the stockholders of such companies; and that the said Eckington and Soldiers' Home Railway of the District of Columbia, or any consolidated company which may be created and organized under the provisions of this act, be, and it is hereby, authorized to issue its capital stock, either for cash or in exchange for the stock or property and franchises of any of the above-mentioned companies, to such an amount and upon such terms as may be agreed upon by the majority of the stockholders of such companies: *Provided, however,* That the total issue of said bonds and stock shall not in the aggregate exceed the amount necessary for effecting any such purchase, lease, or consolidation and for the construction, reconstruction, and equipment aforesaid.

SEC. 3. That the said Eckington and Soldiers' Home Railway Company, or any consolidated company that may be organized under the provisions of this act, shall begin to equip the Eckington and Soldiers' Home Railway Company's lines and such lines as may be acquired by said company within the said limits with an underground electric system essentially similar to the system now in use in said city, and shall complete such equipment within nine months from the passage of this act; and shall give a bond satisfactory to the Commissioners of the District of Columbia in the sum of \$100,000, conditioned on the faithful performance of the work in this section required: *Provided,* That before permits shall be issued to begin such work all taxes and special assessments due and unpaid to the District of Columbia shall first be paid.

SEC. 4. That the power to institute condemnation proceedings conferred upon the Maryland and Washington Railway Company by section 24 of the joint resolution entitled "A joint resolution to extend the charter of the Maryland and Washington Railway Company," approved August 23, 1894, be, and the same is hereby, continued in force so long and to such extent as the exercise of such right may be necessary.

SEC. 5. That the name of the Eckington and Soldiers' Home Railway Company of the District of Columbia be, and it is hereby, changed to City and Suburban Railway of Washington.

SEC. 6. That Congress reserves the right to alter, amend, or repeal this act, and that all acts or parts of acts inconsistent with this act be, and the same are hereby, repealed.

Mr. BABCOCK. Mr. Speaker, I desire to state for the information of the House that all this portion of the bill read by the Clerk has been stricken out by the committee, and that they recommend a substitute, which will be now read.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause in the substitute bill as reported February 14, 1898, and insert in lieu thereof the following:

"That the Eckington and Soldiers' Home Railway Company of the District of Columbia be, and it is hereby, authorized to purchase or lease the property and franchises of the Maryland and Washington Railway Company of the District of Columbia and the Columbia and Maryland Railway Company of Maryland, and the Maryland and Washington Railway Company is hereby authorized to sell or lease its property and franchises to the said Eckington and Soldiers' Home Railway Company.

"SEC. 2. That the said Eckington and Soldiers' Home Railway Company, under the supervision of the Commissioners of the District of Columbia, shall fully equip its lines within the city of Washington with an underground electric system essentially similar to the underground system now in use by the Metropolitan Railroad Company in said city, upon plans to be submitted to and approved by the said Commissioners, and shall have its cars regularly running by said system within nine months from the passage of this act: *Provided*, That before permits shall be issued to begin such work all taxes and special assessments due and unpaid to the District of Columbia shall first be paid.

"SEC. 3. That the route of the Eckington and Soldiers' Home Railway Company shall be as at present, with the following changes, to wit: Between the intersections of T and Third streets NE. and R and Second streets NE. one track shall be abandoned, and in lieu thereof a single track shall be constructed between the same points on T and Second streets NE.; between the intersections of Eckington place and Florida avenue and New York avenue and First street NE. both tracks shall be abandoned, and in lieu thereof a double track shall be constructed between these two points, crossing Florida avenue and on First street; between the intersections of New York avenue and Fifth street and Fifth street and G street NW., unless the roadway of Fifth street be increased to a width of 44 feet between curbs, one track shall be abandoned, and in lieu thereof a single track shall be constructed on Fourth street NW. between New York avenue and G street; a single track between First and C streets and Fourth and D streets NE. shall be abandoned, and in lieu thereof a single track shall be constructed on D and First streets NE. between these points: *Provided*, That if Fifth street be not widened as above stated, the double tracks of the Belt Railway Company on Fourth street W., between G street and New York avenue N., shall be abandoned, and the Belt Railway Company shall have the privilege of using the tracks of the Eckington and Soldiers' Home Railway Company between the points named on G street, Fifth street, and New York avenue: *Provided further*, That the abandoned tracks shall be removed, and the single tracks, with all the necessary switches, turn-outs, etc., shall be located subject to the approval of the Commissioners of the District of Columbia.

"SEC. 4. That the said Eckington and Soldiers' Home Railway Company is hereby authorized to issue its capital stock and its bonds to an aggregate amount sufficient to cover the cost of the property and franchises whose purchase or lease is herein provided for and the cost of the construction, equipment, and reequipment of the railway lines now owned by the said Eckington and Soldiers' Home Railway Company or hereafter to be acquired by said company, and to secure said bonds by mortgage or deed of trust of any part or all of its property and franchises, as now owned or hereafter to be acquired under the provisions of this act, subject to any prior mortgaged indebtedness; and before any stock, bond, or trust deed shall be executed the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia, and for this purpose said Commissioners are hereby authorized to subpoena and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia, and any stock or bonds issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void.

"SEC. 5. That within sixty days from the date of the approval of this act the Eckington and Soldiers' Home Railway Company shall deposit \$5,000 with the collector of taxes of the District of Columbia to guarantee the reconstruction, equipment, and reequipment of its lines, as authorized and prescribed by this act. If said sum is not so deposited, then this act shall be void. If said sum is so deposited and the said lines are not reconstructed, equipped, and reequipped as herein provided for, then said sum of \$5,000 shall be forfeited to the District of Columbia, and this act shall be void.

"SEC. 6. That the power to institute condemnation proceedings conferred upon the Maryland and Washington Railway Company by section 24 of the joint resolution entitled 'Joint resolution to extend the charter of the Maryland and Washington Railway Company,' approved August 23, 1894, be, and the same is hereby, continued in force one year from the passage of this act.

"SEC. 7. That on and after nine months from the passage of this act the Eckington and Soldiers' Home Railway Company shall pay to the District of Columbia, in addition to all other taxes now required to be paid by the said Eckington and Soldiers' Home Railway Company, the sum of \$50 for each and every day thereafter until said road shall be completed.

"SEC. 8. That nothing herein shall be construed to relieve any of the corporations herein mentioned from any just liability nor to in any manner affect any valid subsisting claim of any creditor against said corporations, or either of them.

"SEC. 9. That Congress reserves the right to alter, amend, or repeal this act."

Mr. BABCOCK. Mr. Speaker, this bill has been carefully prepared by the committee, in connection with the Commissioners of the District. I do not know of any objection to any of its provisions, and I think there is none. Every part of the bill has been as carefully considered as the committee were able to consider it. I think the bill covers just the ground that is absolutely necessary, and no more.

Mr. GROSVENOR. I offer the amendment which I send to the desk, which is the same amendment I offered to the other bill.

The Clerk read as follows:

Amend section 2 by inserting, after the word "Columbia," line 12, the following:

"And all indebtedness due the employees for labor, or due others for coal, feed, horseshoes, and other supplies contracted for by the receiver of the

said Eckington and Soldiers' Home Railway, duly appointed by the court, and used on behalf and for the benefit of said company during such receivership, and to be approved by the court appointing such receiver."

The amendment was agreed to.

Mr. ODELL. I offer the amendment which I send to the desk. The Clerk read as follows:

Add, after line 11 of section 1, the following:

"*Provided*, That only one fare not exceeding the rate now authorized by law shall be charged for a single continuous ride over all the lines affected by such purchase or lease."

Mr. BABCOCK. There is no objection to that amendment. It is the existing law.

The amendment was agreed to.

Mr. ODELL. I offer another amendment, which I ask the Clerk to read.

The Clerk read as follows:

Amend section 2, line 3, by inserting, after the word "equip," the word "all," and after the word "lines" the words "now owned and operated or hereafter owned or leased;" so as to read:

"Shall fully equip all its lines now owned and operated or hereafter owned or leased within the city of Washington with an underground electric system."

The amendment was agreed to.

Mr. ODELL. I also offer another amendment, which I ask the Clerk to read.

The Clerk read as follows:

Amend section 2, line 4, by striking out the words "city of Washington" and placing in lieu thereof the words "District of Columbia."

Mr. BABCOCK. If the House properly understands that amendment, it will never agree to it. Outside of the city limits in this District the overhead trolley has been and is used. As to that section of the city Congress has never prescribed that the wires should be put under ground, and I believe it does not intend to do so, at least at present. I hope the amendment will be withdrawn. I think if the gentleman fully understood the situation he would not have offered it.

Mr. ODELL. I think I fully understand the situation. I insist on a vote upon my amendment.

The question being taken, the amendment was rejected; there being—ayes 8, noes 42.

Mr. ODELL. I offer a further amendment which I send to the desk.

The Clerk read as follows:

Amend section 2 by striking out lines 10, 11, and 12, and insert in lieu thereof: "That the Commissioners of the District of Columbia shall, before any permit be issued to begin such work, as authorized by this act, require the receiver of the said railways to file a sworn certificate that the indebtedness and obligations existing under said receivership have been paid, or satisfactorily adjusted, and that all taxes and special assessment due and unpaid to the District of Columbia be paid."

Mr. BABCOCK. Mr. Speaker, the House has just adopted, on motion of the gentleman from Ohio [Mr. GROSVENOR], an amendment fully covering the same ground as this.

Mr. ODELL. The language of my amendment is different from that of the gentleman from Ohio.

Mr. BABCOCK. That amendment covers all the ground that this does if it provides that all indebtedness must be paid.

Mr. ODELL. I have compared my amendment with that of the gentleman from Ohio, and that amendment does not cover the same ground as this. I disagree on that point with the gentleman from Wisconsin [Mr. BABCOCK].

Mr. BABCOCK. I hope this amendment will be disagreed to. It would simply lumber up the bill.

The amendment was rejected, there being—ayes 12, noes 50.

The substitute of the committee as amended was agreed to.

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

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

NEGOTIABLE INSTRUMENTS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 5370) relating to negotiable instruments within the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That this act shall be known as the "Negotiable Instruments Law."

In this act, unless the context otherwise requires:

"Acceptance" means an acceptance completed by delivery or notification.

"Action" includes counterclaim and set-off.

"Bank" includes any person or association of persons carrying on the business of banking, whether incorporated or not.

"Bearer" means the person in possession of a bill or note which is payable to bearer.

"Bill" means bill of exchange and "note" means negotiable promissory note.

"Delivery" means transfer of possession, actual or constructive, from one person to another.

"Holder" means the payee or indorsee of a bill or note, who is in possession of it, or the bearer thereof.

"Indorsement" means an indorsement completed by delivery.

"Instrument" means negotiable instrument.

"Issue" means the first delivery of the instrument, complete in form, to a person who takes it as a holder.

"Person" includes a body of persons, whether incorporated or not.

"Value" means valuable consideration.

"Written" includes printed, and "writing" includes print.

The person "primarily" liable on an instrument is the person who by the terms of the instrument is absolutely required to pay the same. All other parties are "secondarily" liable.

In determining what is a "reasonable time" or an "unreasonable time," regard is to be had to the nature of the instrument, the usage of trade or business, if any, with respect to such instruments, and the facts of the particular case.

Where the day, or the last day, for doing any act herein required or permitted to be done falls on Sunday or on a holiday, the act may be done on the next succeeding secular or business day.

The provisions of this act do not apply to negotiable instruments made and delivered prior to the passage hereof.

In any case not provided for in this act the rules of the law merchant shall govern.

TITLE I. NEGOTIABLE INSTRUMENTS IN GENERAL.

ARTICLE I. FORM AND INTERPRETATION.

An instrument, to be negotiable, must conform to the following requirements:

First. It must be in writing and signed by the maker or drawer;
Second. It must contain an unconditional promise or order to pay a sum certain in money.

Third. It must be payable on demand or at a fixed or determinable future time;

Fourth. It must be payable to order or to bearer; and
Fifth. Where the instrument is addressed to a drawee, he must be named or otherwise indicated therein with reasonable certainty.

SEC. 2. That the sum payable is a sum certain within the meaning of this act, although it is to be paid—

First. With interest; or

Second. By stated installments; or

Third. By stated installments, with a provision that upon default in payment of any installment or of interest the whole shall become due; or

Fourth. With exchange, whether at a fixed rate or at the current rate; or
Fifth. With costs of collection or an attorney's fee, in case payment shall not be made at maturity.

SEC. 3. That an unqualified order or promise to pay is unconditional within the meaning of this act, though coupled with—

First. An indication of a particular fund out of which reimbursement is to be made, or a particular account to be debited with the amount; or

Second. A statement of the transaction which gives rise to the instrument. But an order or promise to pay out of a particular fund is not unconditional.

SEC. 4. That an instrument is payable at a determinable future time, within the meaning of this act, which is expressed to be payable—

First. At a fixed period after date or sight; or
Second. On or before a fixed or determinable future time specified therein; or

Third. On or at a fixed period after the occurrence of a specified event, which is certain to happen, though the time of happening be uncertain.

An instrument payable upon a contingency is not negotiable, and the happening of the event does not cure the defect.

SEC. 5. That an instrument which contains an order or promise to do any act in addition to the payment of money is not negotiable. But the negotiable character of an instrument otherwise negotiable is not affected by a provision which:

First. Authorizes the sale of collateral securities in case the instrument be not paid at maturity; or

Second. Authorizes a confession of judgment if the instrument be not paid at maturity; or

Third. Waives the benefit of any law intended for the advantage or protection of the obligor; or

Fourth. Gives the holder an election to require something to be done in lieu of payment of money.

But nothing in this section shall validate any provision or stipulation otherwise illegal.

SEC. 6. That the validity and negotiable character of an instrument are not affected by the fact that:

First. It is not dated; or
Second. Does not specify the value given, or that any value has been given therefor; or

Third. Does not specify the place where it is drawn or the place where it is payable; or

Fourth. Bears a seal; or
Fifth. Designates a particular kind of current money in which payment is to be made.

But nothing in this section shall alter or repeal any statute requiring in certain cases the nature of the consideration to be stated in the instrument.

SEC. 7. That an instrument is payable on demand:

First. Where it is expressed to be payable on demand, or at sight, or on presentation; or

Second. In which no time for payment is expressed.

Where an instrument is issued, accepted, or indorsed when overdue, it is, as regards the person so issuing, accepting, or indorsing it, payable on demand.

SEC. 8. That the instrument is payable to order where it is drawn payable to the order of a specified person or to him or his order. It may be drawn payable to the order of:

First. A payee who is not maker, drawer, or drawee; or
Second. The drawer or maker; or

Third. The drawee; or
Fourth. Two or more payees jointly; or

Fifth. One or some of several payees; or
Sixth. The holder of an office for the time being.

Where the instrument is payable to order, the payee must be named or otherwise indicated therein with reasonable certainty.

SEC. 9. That the instrument is payable to bearer:

First. When it is expressed to be so payable; or
Second. When it is payable to a person named therein or bearer; or

Third. When it is payable to the order of a fictitious or nonexistent person, and such fact was known to the person making it so payable; or

Fourth. When the name of the payee does not purport to be the name of any person; or

Fifth. When the only or last indorsement is an indorsement in blank.

SEC. 10. That the instrument need not follow the language of this act, but any terms are sufficient which clearly indicate an intention to conform to the requirements hereof.

SEC. 11. That where the instrument or an acceptance or any indorsement

thereon is dated, such date is deemed prima facie to be the true date of the making, drawing, acceptance, or indorsement, as the case may be.

SEC. 12. That the instrument is not invalid for the reason only that it is antedated or postdated, provided this is not done for an illegal or fraudulent purpose. The person to whom an instrument so dated is delivered acquires the title thereto as of the date of delivery.

SEC. 13. That where an instrument expressed to be payable at a fixed period after date is issued undated, or where the acceptance of an instrument payable at a fixed period after sight is undated, any holder may insert therein the true date of issue or acceptance, and the instrument shall be payable accordingly. The insertion of a wrong date does not avoid the instrument in the hands of a subsequent holder in due course; but as to him, the date so inserted is to be regarded as the true date.

SEC. 14. That where the instrument is wanting in any material particular, the person in possession thereof has a prima facie authority to complete it by filling up the blanks therein. And a signature on a blank paper delivered by the person making the signature, in order that the paper may be converted into a negotiable instrument, operates as a prima facie authority to fill it up as such for any amount. In order, however, that any such instrument, when completed, may be enforced against any person who became a party thereto prior to its completion, it must be filled up strictly in accordance with the authority given, and within a reasonable time; but if any such instrument, after completion, is negotiated to a holder in due course, it is valid and effectual for all purposes in his hands, and he may enforce it as if it had been filled up strictly in accordance with the authority given, and within a reasonable time.

SEC. 15. That where an incomplete instrument has not been delivered it will not, if completed and negotiated, without authority, be a valid contract in the hands of any holder, as against any person whose signature was placed thereon before delivery.

SEC. 16. That every contract on a negotiable instrument is incomplete and revocable until delivery of the instrument for the purpose of giving effect thereto. As between immediate parties, and as regards a remote party other than a holder in due course, the delivery, in order to be effectual, must be made either by or under the authority of the party making, drawing, accepting, or indorsing, as the case may be; and in such case the delivery may be shown to have been conditional, or for a special purpose only, and not for the purpose of transferring the property in the instrument. But where the instrument is in the hands of a holder in due course, a valid delivery thereof by all parties prior to him, so as to make them liable to him, is conclusively presumed. And where the instrument is no longer in the possession of a party whose signature appears thereon, a valid and intentional delivery by him is presumed until the contrary is proved.

SEC. 17. That where the language of the instrument is ambiguous, or there are omissions therein, the following rules of construction apply:

First. Where the sum payable is expressed in words and also in figures, and there is a discrepancy between the two, the sum denoted by the words is the sum payable; but if the words are ambiguous or uncertain, reference may be had to the figures to fix the amount.

Second. Where the instrument provides for the payment of interest, without specifying the date from which interest is to run, the interest runs from the date of the instrument, and if the instrument is undated, from the issue thereof.

Third. Where the instrument is not dated, it will be considered to be dated as of the time it was issued.

Fourth. Where there is conflict between the written and printed provisions of the instrument, the written provisions prevail.

Fifth. Where the instrument is so ambiguous that there is doubt whether it is a bill or note, the holder may treat it as either, at his election.

Sixth. Where a signature is so placed upon the instrument that it is not clear in what capacity the person making the same intended to sign, he is to be deemed an indorser.

Seventh. Where an instrument containing the words "I promise to pay" is signed by two or more persons, they are deemed to be jointly and severally liable thereon.

SEC. 18. That no person is liable on the instrument whose signature does not appear thereon, except as herein otherwise expressly provided. But one who signs in a trade or assumed name will be liable to the same extent as if he had signed in his own name.

SEC. 19. That the signature of any party may be made by a duly authorized agent. No particular form of appointment is necessary for this purpose; and the authority of the agent may be established as in other cases of agency.

SEC. 20. That where the instrument contains, or a person adds to his signature, words indicating that he signs for or on behalf of a principal, or in a representative capacity, he is not liable on the instrument if he was duly authorized, but the mere addition of words describing him as an agent, or as filling a representative character, without disclosing his principal, does not exempt him from personal liability.

SEC. 21. That a signature by "procuration" operates as notice that the agent has but a limited authority to sign, and the principal is bound only in case the agent in so signing acted within the actual limits of his authority.

SEC. 22. That the indorsement or assignment of the instrument by a corporation or by an infant passes the property therein, notwithstanding that from want of capacity the corporation or infant may incur no liability thereon.

SEC. 23. That where a signature is forged or made without the authority of the person whose signature it purports to be, it is wholly inoperative, and no right to retain the instrument, or to give a discharge therefor, or to enforce payment thereof against any party thereto, can be acquired through or under such signature, unless the party against whom it is sought to enforce such right is precluded from setting up the forgery or want of authority.

ARTICLE II. CONSIDERATION.

SEC. 24. That every negotiable instrument is deemed prima facie to have been issued for a valuable consideration; and every person whose signature appears thereon to have become a party thereto for value.

SEC. 25. That value is any consideration sufficient to support a simple contract. An antecedent or preexisting debt constitutes value, and is deemed such whether the instrument is payable on demand or at a future time.

SEC. 26. That where value has at any time been given for the instrument, the holder is deemed a holder for value in respect to all parties who became such prior to that time.

SEC. 27. That where the holder has a lien on the instrument, arising either from contract or by implication of law, he is deemed a holder for value to the extent of his lien.

SEC. 28. That absence or failure of consideration is matter of defense as against any person not a holder in due course; and partial failure of consideration is a defense pro tanto whether the failure is an ascertained and liquidated amount or otherwise.

SEC. 29. That an accommodation party is one who has signed the instrument as maker, drawer, acceptor, or indorser, without receiving value therefor, and for the purpose of lending his name to some other person. Such a person is liable on the instrument to a holder for value, notwithstanding such holder at the time of taking the instrument knew him to be only an accommodation party.

ARTICLE III. NEGOTIATION.

SEC. 30. That an instrument is negotiated when it is transferred from one person to another in such manner as to constitute the transferee the holder thereof. If payable to bearer it is negotiated by delivery; if payable to order it is negotiated by the indorsement of the holder completed by delivery.

SEC. 31. That the indorsement must be written on the instrument itself or upon a paper attached thereto. The signature of the indorser, without additional words, is a sufficient indorsement.

SEC. 32. That the indorsement must be an indorsement of the entire instrument. An indorsement which purports to transfer to the indorsee a part only of the amount payable, or which purports to transfer the instrument to two or more indorsees severally, does not operate as a negotiation of the instrument; but where the instrument has been paid in part it may be indorsed as to the residue.

SEC. 33. That an indorsement may be either special or in blank; and it may also be either restrictive or qualified or conditional.

SEC. 34. That a special indorsement specifies the person to whom or to whose order the instrument is to be payable; and the indorsement of such indorsee is necessary to the further negotiation of the instrument. An indorsement in blank specifies no indorsee, and an instrument so indorsed is payable to bearer and may be negotiated by delivery.

SEC. 35. That the holder may convert a blank indorsement into a special indorsement by writing over the signature of the indorser in blank any contract consistent with the character of the indorsement.

SEC. 36. That an indorsement is restrictive which either:
First. Prohibits the further negotiation of the instrument; or
Second. Constitutes the indorsee the agent of the indorser; or
Third. Vests the title in the indorsee in trust for or to the use of some other person. But the mere absence of words implying power to negotiate does not make an indorsement restrictive.

SEC. 37. That a restrictive indorsement confers upon the indorsee the right:
First. To receive payment of the instrument.
Second. To bring any action thereon that the indorser could bring.
Third. To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

SEC. 38. That a qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse," or any words of similar import. Such an indorsement does not impair the negotiable character of the instrument.

SEC. 39. That where an indorsement is conditional a party required to pay the instrument may disregard the condition, and make payment to the indorsee or his transferee, whether the condition has been fulfilled or not. But any person to whom an instrument so indorsed is negotiated will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

SEC. 40. That where an instrument, payable to bearer, is indorsed specially it may nevertheless be further negotiated by delivery; but the person indorsing specially is liable as indorser to only such holders as make title through his indorsement.

SEC. 41. That where an instrument is payable to the order of two or more payees or indorsees who are not partners, all must indorse, unless the one indorsing has authority to indorse for the others.

SEC. 42. That where an instrument is drawn or indorsed to a person as "cashier" or other fiscal officer of a bank or corporation, it is deemed prima facie to be payable to the bank or corporation of which he is such officer, and may be negotiated by either the indorsement of the bank or corporation or the indorsement of the officer.

SEC. 43. That where the name of a payee or indorsee is wrongly designated or misspelled he may indorse the instrument as therein described, adding, if he think fit, his proper signature.

SEC. 44. That where any person is under obligation to indorse in a representative capacity he may indorse in such terms as to negative personal liability.

SEC. 45. That except where an indorsement bears date after the maturity of the instrument every negotiation is deemed prima facie to have been effected before the instrument was overdue.

SEC. 46. That except where the contrary appears every indorsement is presumed prima facie to have been made at the place where the instrument is dated.

SEC. 47. That an instrument negotiable in its origin continues to be negotiable until it has been restrictively indorsed or discharged by payment or otherwise.

SEC. 48. That the holder may at any time strike out any indorsement which is not necessary to his title. The indorser whose indorsement is struck out and all indorsers subsequent to him are thereby relieved from liability on the instrument.

SEC. 49. That where the holder of an instrument payable to his order transfers it for value without indorsing it, the transfer vests in the transferee such title as the transferor had therein, and the transferee acquires, in addition, the right to have the indorsement of the transferor. But for the purpose of determining whether the transferee is a holder in due course, the negotiation takes effect as of the time when the indorsement is actually made.

SEC. 50. That where an instrument is negotiated back to a prior party, such party may, subject to the provisions of this act, reissue and further negotiate the same. But he is not entitled to enforce payment thereof against any intervening party to whom he was personally liable.

ARTICLE IV. RIGHTS OF THE HOLDER.

SEC. 51. That the holder of a negotiable instrument may sue thereon in his own name, and payment to him in due course discharges the instrument.

SEC. 52. That a holder in due course is a holder who has taken the instrument under the following conditions:

First. That it is complete and regular upon its face.
Second. That he became the holder of it before it was overdue, and without notice that it had been previously dishonored, if such was the fact.
Third. That he took it in good faith and for value.

Fourth. That at the time it was negotiated to him he had no notice of any infirmity in the instrument or defect in the title of the person negotiating it.

SEC. 53. That where an instrument payable on demand is negotiated an unreasonable length of time after its issue, the holder is not deemed a holder in due course.

SEC. 54. That where the transferee receives notice of any infirmity in the instrument or defect in the title of the person negotiating the same before he has paid the full amount agreed to be paid therefor, he will be deemed a holder in due course only to the extent of the amount theretofore paid by him.

SEC. 55. That the title of a person who negotiates an instrument is defective within the meaning of this act when he obtained the instrument, or any signature thereto, by fraud, duress, or force and fear, or other unlawful

means, or for an illegal consideration, or when he negotiates it in breach of faith, or under such circumstances as amount to a fraud.

SEC. 56. That to constitute notice of an infirmity in the instrument, or defect in the title of the person negotiating the same, the person to whom it is negotiated must have had actual knowledge of the infirmity or defect, or knowledge of such facts that his action in taking the instrument amounted to bad faith.

SEC. 57. That a holder in due course holds the instrument free from any defect of title of prior parties and free from defenses available to prior parties among themselves, and may enforce payment of the instrument for the full amount thereof against all parties liable thereon.

SEC. 58. That in the hands of any holder other than a holder in due course a negotiable instrument is subject to the same defenses as if it were nonnegotiable. But a holder who derives his title through a holder in due course, and who is not himself a party to any fraud or illegality affecting the instrument, has all the rights of such former holder in respect of all parties prior to the latter.

SEC. 59. That every holder is deemed prima facie to be a holder in due course; but when it is shown that the title of any person who has negotiated the instrument was defective, the burden is on the holder to prove that he or some person under whom he claims acquired the title as a holder in due course. But the last-mentioned rule does not apply in favor of a party who became bound on the instrument prior to the acquisition of such defective title.

ARTICLE V. LIABILITIES OF PARTIES.

SEC. 60. That the maker of a negotiable instrument by making it engages that he will pay it according to its tenor, and admits the existence of the payee and his then capacity to indorse.

SEC. 61. That the drawer by drawing the instrument admits the existence of the payee and his then capacity to indorse, and engages that on due presentment the instrument will be accepted or paid, or both, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it. But the drawer may insert in the instrument an express stipulation negating or limiting his own liability to the holder.

SEC. 62. That the acceptor by accepting the instrument engages that he will pay it according to the tenor of his acceptance, and admits—

First. The existence of the drawer, the genuineness of his signature, and his capacity and authority to draw the instrument, and,
Second. The existence of the payee and his then capacity to indorse.

SEC. 63. That a person placing his signature upon an instrument otherwise than as a maker, drawer, or acceptor is deemed to be an indorser, unless he clearly indicates by appropriate words his intention to be bound in some other capacity.

SEC. 64. That where a person, not otherwise a party to an instrument, places thereon his signature in blank before delivery, he is liable as indorser in accordance with the following rules:

First. If the instrument is payable to the order of a third person, he is liable to the payee and to all subsequent parties.

Second. If the instrument is payable to the order of the maker or drawer, or is payable to bearer, he is liable to all parties subsequent to the maker or drawer.

Third. If he signs for the accommodation of the payee, he is liable to all parties subsequent to the payee.

SEC. 65. That every person negotiating an instrument by delivery or by a qualified indorsement warrants—

First. That the instrument is genuine and in all respects what it purports to be.

Second. That he has a good title to it.

Third. That all prior parties had capacity to contract.

Fourth. That he has no knowledge of any fact which would impair the validity of the instrument or render it valueless.

But when the negotiation is by delivery only, the warranty extends in favor of no holder other than the immediate transferee.

The provisions of subdivision 3 of this section do not apply to persons negotiating public or corporate securities other than bills and notes.

SEC. 66. That every indorser who indorses without qualification warrants to all subsequent holders in due course:

First. The matters and things mentioned in subdivisions 1, 2, and 3 of the next preceding section; and

Second. That the instrument is at the time of his indorsement valid and subsisting.

And, in addition, he engages that on due presentment it shall be accepted or paid, or both, as the case may be, according to its tenor, and that if it be dishonored and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder or to any subsequent indorser who may be compelled to pay it.

SEC. 67. That where a person places his indorsement on an instrument negotiable by delivery he incurs all the liabilities of an indorser.

SEC. 68. That as respects one another, indorsers are liable prima facie in the order in which they indorse; but evidence is admissible to show that as between or among themselves they have agreed otherwise. Joint payees or joint indorsees who indorse are deemed to indorse jointly and severally.

SEC. 69. That where a broker or other agent negotiates an instrument without indorsement he incurs all the liabilities prescribed by section 65 of this act, unless he discloses the name of his principal and the fact that he is acting only as agent.

ARTICLE VI. PRESENTMENT FOR PAYMENT.

SEC. 70. That presentment for payment is not necessary in order to charge the person primarily liable on the instrument; but if the instrument is, by its terms, payable at a special place, and he is able and willing to pay it there at maturity, such ability and willingness are equivalent to a tender of payment upon his part. But except as herein otherwise provided, presentment for payment is necessary in order to charge the drawer and indorsers.

SEC. 71. That where the instrument is not payable on demand, presentment must be made on the day it falls due. Where it is payable on demand, presentment must be made within a reasonable time after its issue, except that in the case of a bill of exchange, presentment for payment will be sufficient if made within a reasonable time after the last negotiation thereof.

SEC. 72. That presentment for payment, to be sufficient, must be made:

First. By the holder, or by some person authorized to receive payment on his behalf.

Second. At a reasonable hour on a business day.

Third. At a proper place, as herein defined.

Fourth. To the person primarily liable on the instrument, or, if he is absent or inaccessible, to any person found at the place where the presentment is made.

SEC. 73. That presentment for payment is made at the proper place:

First. Where a place of payment is specified in the instrument and it is there presented.

Second. Where no place of payment is specified, but the address of the person to make payment is given in the instrument and it is there presented.

Third. Where no place of payment is specified and no address is given and the instrument is presented at the usual place of business or residence of the person to make payment.

Fourth. In any other case if presented to the person to make payment wherever he can be found, or if presented at his last known place of business or residence.

SEC. 74. That the instrument must be exhibited to the person from whom payment is demanded, and when it is paid must be delivered up to the party paying it.

SEC. 75. That where the instrument is payable at a bank, presentment for payment must be made during banking hours, unless the person to make payment has no funds there to meet it at any time during the day, in which case presentment at any hour before the bank is closed on that day is sufficient.

SEC. 76. That where the person primarily liable on the instrument is dead, and no place of payment is specified, presentment for payment must be made to his personal representative, if such there be, and if, with the exercise of reasonable diligence, he can be found.

SEC. 77. That where the persons primarily liable on the instrument are liable as partners, and no place of payment is specified, presentment for payment may be made to any one of them, even though there has been a dissolution of the firm.

SEC. 78. That where there are several persons, not partners, primarily liable on the instrument, and no place of payment is specified, presentment must be made to them all.

SEC. 79. That presentment for payment is not required in order to charge the drawer where he has no right to expect or require that the drawee or acceptor will pay the instrument.

SEC. 80. That presentment for payment is not required in order to charge an indorser where the instrument was made or accepted for his accommodation and he has no reason to expect that the instrument will be paid if presented.

SEC. 81. That delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct, or negligence. When the cause of delay ceases to operate presentment must be made with reasonable diligence.

SEC. 82. That presentment for payment is dispensed with:

First. Where, after the exercise of reasonable diligence, presentment as required by this act can not be made.

Second. Where the drawee is a fictitious person.

Third. By waiver of presentment, express or implied.

SEC. 83. That the instrument is dishonored by nonpayment when:

First. It is duly presented for payment and payment is refused or can not be obtained; or

Second. Presentment is excused and the instrument is overdue and unpaid.

SEC. 84. That, subject to the provisions of this act, when the instrument is dishonored by nonpayment an immediate right of recourse to all parties secondarily liable thereupon accrues to the holder.

SEC. 85. That every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday or a holiday the instrument is payable on the next succeeding business day. Instruments falling due on Saturday are to be presented for payment on the next succeeding business day, except that instruments payable on demand may, at the option of the holder, be presented for payment before 12 o'clock noon on Saturday when that entire day is not a holiday.

SEC. 86. That where the instrument is payable at a fixed period after date, after sight, or after the happening of a specified event, the time of payment is determined by excluding the day from which the time is to begin to run and by including the date of payment.

SEC. 87. That where the instrument is made payable at a bank it is equivalent to an order to the bank to pay the same for the account of the principal debtor thereon.

SEC. 88. That payment is made in due course when it is made at or after the maturity of the instrument to the holder thereof in good faith and without notice that his title is defective.

ARTICLE VII. NOTICE OF DISHONOR.

SEC. 89. That, except as herein otherwise provided, when a negotiable instrument has been dishonored by nonacceptance or nonpayment, notice of dishonor must be given to the drawer and to each indorser, and any drawer or indorser to whom such notice is not given is discharged.

SEC. 90. That the notice may be given by or on behalf of the holder, or by or on behalf of any party to the instrument who might be compelled to pay it to the holder, and who, upon taking it up, would have a right to reimbursement from the party to whom the notice is given.

SEC. 91. That notice of dishonor may be given by an agent either in his own name or in the name of any party entitled to give notice, whether that party be his principal or not.

SEC. 92. That where notice is given by or on behalf of the holder, it enures for the benefit of all subsequent holders and all prior parties who have a right of recourse against the party to whom it is given.

SEC. 93. That where notice is given by or on behalf of a party entitled to give notice, it enures for the benefit of the holder and all parties subsequent to the party to whom notice is given.

SEC. 94. That where the instrument has been dishonored in the hands of an agent, he may either himself give notice to the parties liable thereon, or he may give notice to his principal. If he give notice to his principal, he must do so within the same time as if he were the holder, and the principal, upon the receipt of such notice, has himself the same time for giving notice as if the agent had been an independent holder.

SEC. 95. That a written notice need not be signed, and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the instrument does not vitiate the notice unless the party to whom the notice is given is in fact misled thereby.

SEC. 96. That the notice may be in writing or merely oral, and may be given in any terms which sufficiently identify the instrument and indicate that it has been dishonored by nonacceptance or nonpayment. It may in all cases be given by delivering it personally or through the mails.

SEC. 97. That notice of dishonor may be given either to the party himself or to his agent in that behalf.

SEC. 98. That when any party is dead, and his death is known to the party giving notice, the notice must be given to a personal representative, if there be one, and if, with reasonable diligence, he can be found. If there be no personal representatives, notice may be sent to the last residence or last place of business of the deceased.

SEC. 99. That where the parties to be notified are partners, notice to any one partner is notice to the firm, even though there has been a dissolution.

SEC. 100. That notice to joint parties who are not partners must be given to each of them, unless one of them has authority to receive such notice for the others.

SEC. 101. That where a party has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, notice may be given either to the party himself or to his trustee or assignee.

SEC. 102. That notice may be given as soon as the instrument is dishonored;

and unless delay is excused as hereinafter provided, must be given within the time fixed by this act.

SEC. 103. That where the person giving and the person to receive notice reside in the same place, notice must be given within the following times:

First. If given at the place of business of the person to receive notice, it must be given before the close of business hours on the day following.

Second. If given at his residence, it must be given before the usual hours of rest on the day following.

Third. If sent by mail, it must be deposited in the post-office in time to reach him in usual course on the day following.

SEC. 104. That where the person giving and the person to receive notice reside in different places, the notice must be given within the following times:

First. If sent by mail, it must be deposited in the post-office in time to go by mail the day following the day of dishonor, or, if there be no mail at a convenient hour on that day, by the next mail thereafter.

Second. If given otherwise than through the post-office, then within the time that notice would have been received in due course of mail if it had been deposited in the post-office within the time specified in the last subdivision.

SEC. 105. That where notice of dishonor is duly addressed and deposited in the post-office the sender is deemed to have given due notice, notwithstanding any miscarriage in the mails.

SEC. 106. That notice is deemed to have been deposited in the post-office when deposited in any branch post-office or in any letter box under the control of the Post-Office Department.

SEC. 107. That where a party receives notice of dishonor he has, after the receipt of such notice, the same time for giving notice to antecedent parties that the holder has after the dishonor.

SEC. 108. That where a party has added an address to his signature, notice of dishonor must be sent to that address; but if he has not given such address, then the notice must be sent as follows:

First. Either to the post-office nearest to his place of residence, or to the post-office where he is accustomed to receive his letters; or

Second. If he live in one place and have his place of business in another, notice may be sent to either place; or

Third. If he is sojourning in another place, notice may be sent to the place where he is sojourning.

But where the notice is actually received by the party within the time specified in this act, it will be sufficient, though not sent in accordance with the requirements of this section.

SEC. 109. That notice of dishonor may be waived, either before the time of giving notice has arrived or after the omission to give due notice, and the waiver may be express or implied.

SEC. 110. That where the waiver is embodied in the instrument itself it is binding upon all parties; but where it is written above the signature of an indorser, it binds him only.

SEC. 111. That a waiver of protest, whether in the case of a foreign bill of exchange or other negotiable instrument, is deemed to be a waiver not only of a formal protest, but also of presentment and notice of dishonor.

SEC. 112. That notice of dishonor is dispensed with when, after the exercise of reasonable diligence, it can not be given to, or does not reach, the parties sought to be charged.

SEC. 113. That delay in giving notice of dishonor is excused when the delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct, or negligence. When the cause of delay ceases to operate, notice must be given with reasonable diligence.

SEC. 114. That notice of dishonor is not required to be given to the drawer in either of the following cases:

First. Where the drawer and drawee are the same person;

Second. Where the drawee is a fictitious person or a person not having capacity to contract;

Third. Where the drawer is the person to whom the instrument is presented for payment;

Fourth. Where the drawer has no right to expect or require that the drawee or acceptor will honor the instrument; or

Fifth. Where the drawer has countermanded payment.

SEC. 115. That notice of dishonor is not required to be given to an indorser in either of the following cases:

First. Where the drawee is a fictitious person or a person not having capacity to contract, and the indorser was aware of the fact at the time he indorsed the instrument;

Second. Where the indorser is the person to whom the instrument is presented for payment; or

Third. Where the instrument was made or accepted for his accommodation.

SEC. 116. That where due notice of dishonor by nonacceptance has been given, notice of a subsequent dishonor by nonpayment is not necessary, unless in the meantime the instrument has been accepted.

SEC. 117. That an omission to give notice of dishonor by nonacceptance does not prejudice the rights of a holder in due course subsequent to the omission.

SEC. 118. That where any negotiable instrument has been dishonored it may be protested for nonacceptance or nonpayment, as the case may be; but protest is not required, except in the case of foreign bills of exchange.

ARTICLE VIII. DISCHARGE OF NEGOTIABLE INSTRUMENTS.

SEC. 119. That a negotiable instrument is discharged:

First. By payment in due course by or on behalf of the principal debtor.

Second. By payment in due course by the party accommodated, where the instrument is made or accepted for accommodation.

Third. By the intentional cancellation thereof by the holder.

Fourth. By any other act which will discharge a simple contract for the payment of money.

Fifth. When the principal debtor becomes the holder of the instrument at or after maturity in his own right.

SEC. 120. That a person secondarily liable on the instrument is discharged:

First. By any act which discharges the instrument.

Second. By the intentional cancellation of his signature by the holder.

Third. By the discharge of a prior party.

Fourth. By a valid tender of payment made by a prior party.

Fifth. By a release of the principal debtor, unless the holder's right of recourse against the party secondarily liable is expressly reserved.

Sixth. By any agreement binding upon the holder to extend the time of payment, or to postpone the holder's right to enforce the instrument, unless made with the assent of the party secondarily liable, or unless the right of recourse against such party is expressly reserved.

SEC. 121. That where the instrument is paid by a party secondarily liable thereon it is not discharged; but the party so paying it is remitted to his former rights as regards all prior parties, and he may strike out his own and all subsequent indorsements, and again negotiate the instrument, except—

First. Where it is payable to the order of a third person, and has been paid by the drawer; and

Second. Where it was made or accepted for accommodation, and has been paid by the party accommodated.

SEC. 122. That the holder may expressly renounce his rights against any party to the instrument before, at, or after its maturity. An absolute and unconditional renunciation of his rights against the principal debtor, made at or after the maturity of the instrument, discharges the instrument; but a renunciation does not affect the rights of a holder in due course without notice. A renunciation must be in writing, unless the instrument is delivered up to the person primarily liable thereon.

SEC. 123. That a cancellation made unintentionally, or under a mistake, or without the authority of the holder, is inoperative; but where an instrument or any signature thereon appears to have been canceled the burden of proof lies on the party who alleges that the cancellation was made unintentionally, or under mistake, or without authority.

SEC. 124. That where a negotiable instrument is materially altered without the assent of all parties liable thereon, it is avoided except as against a party who has himself made, authorized, or assented to the alteration and subsequent indorsers.

But when an instrument has been materially altered and is in the hands of a holder, in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

SEC. 125. That any alteration which changes—

First. The date;

Second. The sum payable, either for principal or interest;

Third. The time or place of payment;

Fourth. The number or the relations of the parties;

Fifth. The medium or currency in which payment is to be made;

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

TITLE II. BILLS OF EXCHANGE.

ARTICLE I. FORM AND INTERPRETATION.

SEC. 126. That a bill of exchange is an unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to order or to bearer.

SEC. 127. That a bill of itself does not operate as an assignment of the funds in the hands of the drawee available for the payment thereof, and the drawee is not liable on the bill unless and until he accepts the same.

SEC. 128. That a bill may be addressed to two or more drawees jointly, whether they are partners or not, but not to two or more drawees in the alternative or in succession.

SEC. 129. That an inland bill of exchange is a bill which is, or on its face purports to be, both drawn and payable within this State. Any other bill is a foreign bill. Unless the contrary appears on the face of the bill, the holder may treat it as an inland bill.

SEC. 130. That where in a bill drawer and drawee are the same person, or where the drawee is a fictitious person, or a person not having capacity to contract, the holder may treat the instrument, at his option, either as a bill of exchange or a promissory note.

SEC. 131. That the drawer of a bill and any indorser may insert thereon the name of a person to whom the holder may resort in case of need; that is to say, in case the bill is dishonored by nonacceptance or nonpayment. Such person is called the referee in case of need. It is in the option of the holder to resort to the referee in case of need or not, as he may see fit.

ARTICLE II. ACCEPTANCE.

SEC. 132. That the acceptance of a bill is the signification by the drawee of his assent to the order of the drawer. The acceptance must be in writing and signed by the drawer. It must not express that the drawee will perform his promise by any other means than the payment of money.

SEC. 133. That the holder of a bill presenting the same for acceptance may require that the acceptance be written on the bill, and if such a request is refused, may treat the bill as dishonored.

SEC. 134. That where an acceptance is written on a paper other than the bill itself, it does not bind the acceptor except in favor of a person to whom it is shown and who, on the faith thereof, receives the bill for value.

SEC. 135. That an unconditional promise in writing to accept a bill before it is drawn is deemed an actual acceptance in favor of every person who, upon the faith thereof, receives the bill for value.

SEC. 136. That the drawee is allowed twenty-four hours after presentment in which to decide whether or not he will accept the bill; but the acceptance, if given, dates as of the day of presentation.

SEC. 137. That where a drawee to whom a bill is delivered for acceptance destroys the same, or refuses within twenty-four hours after such delivery, or within such other period as the holder may allow, to return the bill accepted or nonaccepted to the holder, he will be deemed to have accepted the same.

SEC. 138. That a bill may be accepted before it has been signed by the drawer, or while otherwise incomplete or when it is overdue, or after it has been dishonored by a previous refusal to accept, or by nonpayment. But when a bill payable after sight is dishonored by nonacceptance and the drawee subsequently accepts it, the holder, in the absence of any different agreement, is entitled to have the bill accepted as of the date of the first presentment.

SEC. 139. That an acceptance is either general or qualified. A general acceptance assents without qualification to the order of the drawer. A qualified acceptance in express terms varies the effect of the bill as drawn.

SEC. 140. That an acceptance to pay at a particular place is a general acceptance unless it expressly states that the bill is to be paid there only and not elsewhere.

SEC. 141. That an acceptance is qualified, which is—

First. Conditional; that is to say, which makes payment by the acceptor dependent on the fulfillment of a condition therein stated.

Second. Partial; that is to say, an acceptance to pay part only of the amount for which the bill is drawn.

Third. Local; that is to say, an acceptance to pay any at a particular place.

Fourth. Qualified as to time.

Fifth. The acceptance of some one or more of the drawees, but not of all.

SEC. 142. That the holder may refuse to take a qualified acceptance, and if he does not obtain an unqualified acceptance he may treat the bill as dishonored by nonacceptance. Where a qualified acceptance is taken, the drawer and indorsers are discharged from liability on the bill unless they have expressly or impliedly authorized the holder to take a qualified acceptance, or subsequently assent thereto. When the drawer or an indorser receives notice of a qualified acceptance, he must within a reasonable time express his dissent to the holder, or he will be deemed to have assented thereto.

ARTICLE III. PRESENTMENT FOR ACCEPTANCE.

SEC. 143. That presentment for acceptance must be made:

First. Where the bill is payable after sight, or in any other case where presentment for acceptance is necessary in order to fix the maturity of the instrument; or

Second. Where the bill expressly stipulates that it shall be presented for acceptance; or

Third. Where the bill is drawn payable elsewhere than at the residence or place of business of the drawee.

In no other case is presentment for acceptance necessary in order to render any party to the bill liable.

SEC. 144. That except as herein otherwise provided the holder of a bill which is required by the next preceding section to be presented for acceptance must either present it for acceptance or negotiate it within a reasonable time. If he fails to do so, the drawer and all indorsers are discharged.

SEC. 145. That presentment for acceptance must be made by or on behalf of the holder at a reasonable hour, on a business day, and before the bill is overdue, to the drawee or some person authorized to accept or refuse acceptance on his behalf; and

First. Where a bill is addressed to two or more drawees who are not partners, presentment must be made to them all, unless one has authority to accept or refuse acceptance for all, in which case presentment may be made to him only.

Second. Where the drawee is dead, presentment may be made to his personal representative.

Third. Where the drawee has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, presentment may be made to him or to his trustee or assignee.

SEC. 146. That a bill may be presented for acceptance on any day on which negotiable instruments may be presented for payment under the provisions of sections 72 and 85 of this act. When Saturday is not otherwise a holiday, presentment for acceptance may be made before 12 o'clock noon on that day.

SEC. 147. That where the holder of a bill drawn payable elsewhere than at the place of business or the residence of the drawee has not time, with the exercise of reasonable diligence, to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused, and does not discharge the drawers and indorsers.

SEC. 148. That presentment for acceptance is excused, and a bill may be treated as dishonored by nonacceptance, in either of the following cases:

First. Where the drawee is dead, or has absconded, or is a fictitious person, or a person not having capacity to contract by bill.

Second. Where, after the exercise of reasonable diligence, presentment can not be made.

Third. Where, although presentment has been irregular, acceptance has been refused on some other ground.

SEC. 149. That a bill is dishonored by nonacceptance:

First. When it is duly presented for acceptance and such an acceptance as is prescribed by this act is refused or can not be obtained; or

Second. When presentment for acceptance is excused and the bill is not accepted.

SEC. 150. That where a bill is duly presented for acceptance and is not accepted within the prescribed time, the person presenting it must treat the bill as dishonored by nonacceptance or he loses the right of recourse against the drawer and indorsers.

SEC. 151. That when a bill is dishonored by nonacceptance, an immediate right of recourse against the drawer and indorsers accrues to the holder, and no presentment for payment is necessary.

ARTICLE IV. PROTEST.

SEC. 152. That where a foreign bill, appearing on its face to be such, is dishonored by nonacceptance, it must be duly protested for nonacceptance, and where such a bill which has not previously been dishonored by nonacceptance is dishonored by nonpayment, it must be duly protested for nonpayment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on its face to be a foreign bill, protest thereof in case of dishonor is unnecessary.

SEC. 153. That the protest must be annexed to the bill, or must contain a copy thereof, and must be under the hand and seal of the notary making it, and must specify—

First. The time and place of presentment.

Second. The fact that presentment was made, and the manner thereof.

Third. The cause or reason for protesting the bill.

Fourth. The demand made and the answer given, if any, or the fact that the drawee or acceptor could not be found.

SEC. 154. That protest may be made by—

First. A notary public; or

Second. By any respectable resident of the place where the bill is dishonored, in the presence of two or more credible witnesses.

SEC. 155. That when a bill is protested, such protest must be made on the day of its dishonor, unless delay is excused as herein provided. When a bill has been duly noted, the protest may be subsequently extended as of the date of the noting.

SEC. 156. That a bill must be protested at the place where it is dishonored, except that when a bill drawn payable at the place of business or residence of some person other than the drawee, has been dishonored by nonacceptance, it must be protested for nonpayment at the place where it is expressed to be payable, and no further presentment for payment to, or demand on, the drawee is necessary.

SEC. 157. That a bill which has been protested for nonacceptance may be subsequently protested for nonpayment.

SEC. 158. That where the acceptor has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, before the bill matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.

SEC. 159. That protest is dispensed with by any circumstances which would dispense with notice of dishonor. Delay in noting or protesting is excused when delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct, or negligence. When the cause of delay ceases to operate the bill must be noted or protested with reasonable diligence.

SEC. 160. That where a bill is lost or destroyed, or is wrongly detained from the person entitled to hold it, protest may be made on a copy or written particulars thereof.

ARTICLE V. ACCEPTANCE FOR HONOR.

SEC. 161. That where a bill of exchange has been protested for dishonor by nonacceptance or protested for better security and is not overdue, any person not being a party already liable thereon may, with the consent of the holder, intervene and accept the bill supra protest for the honor of any party liable thereon or for the honor of the person for whose account the bill is drawn. The acceptance for honor may be for part only of the sum for which the bill is drawn; and where there has been an acceptance for honor for one party there may be a further acceptance by a different person for the honor of another party.

SEC. 162. That an acceptance for honor supra protest must be in writing and indicate that it is an acceptance for honor, and must be signed by the acceptor for honor.

SEC. 163. That where an acceptance for honor does not expressly state for whose honor it is made it is deemed to be an acceptance for the honor of the drawer.

SEC. 164. That the acceptor for honor is liable to the holder and to all parties to the bill subsequent to the party for whose honor he has accepted.

SEC. 165. That the acceptor for honor by such acceptance engages that he will, on due presentment, pay the bill according to the terms of his acceptance, provided it shall not have been paid by the drawee, and provided also that it shall have been duly presented for payment and protested for nonpayment and notice of dishonor given to him.

SEC. 166. That where a bill payable after sight is accepted for honor, its maturity is calculated from the date of the noting for nonacceptance, and not from the date of the acceptance for honor.

SEC. 167. That where a dishonored bill has been accepted for honor supra protest or contains a reference in case of need, it must be protested for nonpayment before it is presented for payment to the acceptor for honor or referee in case of need.

SEC. 168. That presentment for payment to the acceptor for honor must be made as follows:

First. If it is to be presented in the place where the protest for nonpayment was made, it must be presented not later than the day following its maturity.

Second. If it is to be presented in some other place than the place where it was protested, then it must be forwarded within the time specified in section 104.

SEC. 169. That the provisions of section 81 apply where there is delay in making presentment to the acceptor for honor or referee in case of need.

SEC. 170. That when the bill is dishonored by the acceptor for honor it must be protested for nonpayment by him.

ARTICLE VI. PAYMENT FOR HONOR.

SEC. 171. That where a bill has been protested for nonpayment any person may intervene and pay it supra protest for the honor of any person liable thereon, or for the honor of the person for whose account it was drawn.

SEC. 172. That the payment for honor supra protest in order to operate as such and not as a mere voluntary payment must be attested by a notarial act of honor which may be appended to the protest or form an extension to it.

SEC. 173. That the notarial act of honor must be founded on a declaration made by the payer for honor, or by his agent in that behalf, declaring his intention to pay the bill for honor and for whose honor he pays.

SEC. 174. That where two or more persons offer to pay a bill for the honor of different parties the person whose payment will discharge most parties to the bill is to be given the preference.

SEC. 175. That where a bill has been paid for honor all parties subsequent to the party for whose honor it is paid are discharged, but the payer for honor is subrogated for, and succeeds to, both the rights and duties of the holder as regards the party for whose honor he pays and all parties liable to the latter.

SEC. 176. That where the holder of a bill refuses to receive payment supra protest he loses his right of recourse against any party who would have been discharged by such payment.

SEC. 177. That the payer for honor, on paying to the holder the amount of the bill and the notarial expenses incidental to its dishonor, is entitled to receive both the bill itself and the protest.

ARTICLE VII. BILLS IN A SET.

SEC. 178. That where a bill is drawn in a set, each part of the set being numbered and containing a reference to the other parts, the whole of the parts constitute one bill.

SEC. 179. That where two or more parts of a set are negotiated to different holders in due course, the holder whose title first accrues is as between such holders the true owner of the bill. But nothing in this section affects the rights of a person who in due course accepts or pays the part first presented to him.

SEC. 180. That where the holder of a set indorses two or more parts to different persons he is liable on every such part, and every indorser subsequent to him is liable on the part he has himself indorsed, as if such parts were separate bills.

SEC. 181. That the acceptance may be written on any part, and it must be written on one part only. If the drawee accepts more than one part, and such accepted parts are negotiated to different holders in due course, he is liable on every such part as if it were a separate bill.

SEC. 182. That when the acceptor of a bill drawn in a set pays it without requiring the part bearing his acceptance to be delivered up to him, and that part at maturity is outstanding in the hands of a holder in due course, he is liable to the holder thereon.

SEC. 183. That except as herein otherwise provided, where any one part of a bill drawn in a set is discharged by payment or otherwise, the whole bill is discharged.

TITLE III. PROMISSORY NOTES AND CHECKS.

ARTICLE I.

SEC. 184. That a negotiable promissory note within the meaning of this act is an unconditional promise in writing, made by one person to another, signed by the maker, engaging to pay on demand, or at a fixed or determinable future time, a sum certain in money, to order or to bearer. Where a note is drawn to the maker's own order, it is not complete until indorsed by him.

SEC. 185. That a check is a bill of exchange drawn on a bank, payable on demand. Except as herein otherwise provided, the provisions of this act applicable to a bill of exchange payable on demand apply to a check.

SEC. 186. That a check must be presented for payment within a reasonable time after its issue, or the drawer will be discharged from liability thereon to the extent of the loss caused by the delay.

SEC. 187. That where a check is certified by the bank on which it is drawn, the certification is equivalent to an acceptance.

SEC. 188. That where the holder of a check procures it to be accepted or certified, the drawer and all indorsers are discharged from liability thereon.

SEC. 189. That a check of itself does not operate as an assignment of any part of the funds to the credit of the drawer with the bank, and the bank is not liable to the holder unless and until it accepts or certifies the check.

SEC. 190. That all laws of force within the District of Columbia inconsistent with the foregoing provisions of this act be, and the same hereby are, repealed.

Mr. LEWIS of Washington. Mr. Speaker, I have an amendment.

Mr. JENKINS. I ask unanimous consent to submit certain verbal amendments, to which my attention has been called during the reading of the bill.

The SPEAKER. The gentleman will present his amendments.

Mr. JENKINS. On page 29, in line 22, section 102, I move to insert, after the word "may," the word "be."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 29, line 22, after the word "may," insert the word "be."

The amendment was agreed to.

Mr. JENKINS. On page 37, line 17, after the word "within," I move to strike out the words "this State" and insert the words "the District of Columbia."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 37, line 17, after the word "within," strike out the words "this State" and insert in lieu thereof the words "the District of Columbia."

The amendment was agreed to.

Mr. JENKINS. On page 38, line 10, I move to strike out the word "drawer," the last word in the line, and insert in lieu thereof the word "drawee."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 38, line 10, strike out the word "drawer" and insert in lieu thereof the word "drawee."

The amendment was agreed to.

Mr. JENKINS. On page 34, line 6, the word "instrument" is misspelled. I move to strike out the word "instrument," as there printed, and insert in lieu thereof the word "instrument."

The SPEAKER. The Clerk will report the amendment.

The amendment was read, as follows:

On page 34, line 6, strike out the word "instrument" and insert in lieu thereof the word "instrument."

The amendment was agreed to.

Mr. JENKINS. Mr. Speaker, I want to say, by way of making a statement with reference to this bill, that I appreciate that it is an important piece of legislation. It has not originated with the Committee on the District of Columbia, but the original bill was drawn by Judge Chalmers in England, and has been in operation in that country since 1882. It was subsequently borrowed and adopted in the State of New York, and I understand has been in successful operation there for several years. It is also the law of Colorado, Florida, and Connecticut, and I am told that a similar statute is in force in Utah. Since this bill was introduced in Congress it has been introduced in at least six of the States in the Union.

I am not certain whether it has become a law in the State of Virginia or in the State of Maryland, but the gentleman from Maryland [Mr. MUDD] tells me he is well satisfied that it has become the law in that State, and I have a letter from Judge Brewster, from Connecticut, in which he informs me that it has become the law of Virginia. That is the only information I have as to whether it has become the law of that State. But wherever this has been the law it has worked very satisfactorily, and is a step in the direction of uniform legislation. I may say that this bill has received the indorsement of the bench and bar and bankers and business men of the District of Columbia.

It has been before the committee since the middle of December, and up to this time, though it has been carefully examined and much talked over by many gentlemen, there has not been one word of criticism with reference to it which has reached the committee. We have been urged to pass it as soon as possible, because it is believed that it will be beneficial legislation. My attention has been called to the fact that there is practically no legislation in this District with reference to negotiable bills and promissory notes.

The only legislation that we can find in force in the District of Columbia on the subject of bills of exchange and promissory notes is in 9 and 10 William, 1698, chapter 17, sections 1, 2, and 3, fixing the cost of protests and providing for the substitution of lost notes; 3 and 4 Anne, chapter 9, 1793, sections 3, 4, 5, 6, and 7, making notes assignable and providing for protests and acceptances of bills; Maryland act of 1835, chapter 38, sections 1, 2, and 3, providing conditions for recovery on protested inland bills of exchange. Also section 990 of the Revised Statutes of the District of Columbia, fixing the rate of notarial fees in protests of bills and notes, and recent legislation abolishing days of grace in the District of Columbia.

I desire to yield ten minutes to the gentleman from New Jersey [Mr. PARKER], who is a member of the American Bar Association, that assisted in framing this piece of legislation.

Mr. PARKER of New Jersey. Mr. Speaker, I do not know that I thought it necessary to take the time of the House with reference to this bill unless objection were made to certain parts of it. I am myself not usually in favor of codification. As a rule, it is better to let the law work out itself in each particular case. But in reference to this matter of notes and bills it very early came into consideration of commissions that were appointed by various States to consider the question of uniformity of State laws. I ought to say about these commissions that it is not generally considered right that the United States should legislate for the different States, but that it is best they should legislate for themselves. But it was thought possibly to be a good thing in certain subjects, such as marriage, divorce, notes and bills, acknowledgments of deeds, etc., that commissioners from the various States

should get together to see whether they could not come to some substantial agreement on those subjects and avoid differences.

Now, with reference to notes and bills, there were some very funny facts. Some States had six, some four, three, and two, and some no days of grace at all. Some States had made the indorser absolutely liable, and in some it was impossible to sue the guarantor until you had sued the maker of the note and had a return that he had no property. In some places a note was only good if payable in bank—that is, it was only a note in that case—and in another State a note was good if payable anywhere. In some cases the words "for value received" had to be used, and in others "without defalcation or discount" were absolutely necessary, and no man who attempted to do business in any State other than his own could be certain. Then, holidays had different effects in different States. In some the note was payable the day before and in others the day after the holiday. For these reasons it was thought impossible to control this matter except by codifying the law.

Now, I am sorry to say that I did not have part in the preparation of this bill, because I ceased to be a member of the commission before this bill was prepared, but my friend Judge Brewster, of Connecticut, submitted it to me, and I have been over it thoroughly.

Judge Brewster said to me:

Do not amend it; it is intended to be adopted by the various States; and we would rather have it fail than to be amended, because it is to be uniform wherever it is adopted; and if it is to be amended and the codes are to be different in different States, then it is worse than if it were left under the common law.

Mr. BAILEY. I understand that this bill relates only and exclusively to the District of Columbia.

Mr. PARKER of New Jersey. It relates only and exclusively to the District of Columbia. It is practically this: To say that the District of Columbia adopts as its law on commercial paper that which is substantially the law and which is adopted in the State of New York. Except as to days of grace and one or two matters, it is the law of the merchants. Now I yield to the gentleman from Washington.

Mr. LEWIS of Washington. Mr. Speaker, I recognize both the gentleman's fitness and the fact that he is better informed on this subject than I; but there is—

Mr. HOPKINS. You give him too much credit. [Laughter.]

Mr. LEWIS of Washington. I have known him longer than you. [Renewed laughter.]

But there is a provision in the bill which gives me some difficulties. This bill provides, unless I read it wrong, that a check drawn on a bank shall not be regarded as an assignment of the amount of that check unless the bank accepts the check. Now—

Mr. PARKER of New Jersey. Is not that the law now? That is the common law.

Mr. LEWIS of Washington. I am aware that there has been a great deal of dispute about that, and I differ with the gentleman as to its being the common law. I think that paragraph is deficient in that respect, if I read it aright, wherein you say that the check is not an assignment of the amount of the check so far as the bank is concerned to the payee; that is, that the bank is not bound by the assignment to such an extent, that the assignment to the bank is from this special fund, and is to be subtracted.

But as between the drawer of a check and the drawee, it is an assignment to the extent of that amount; and under this law, notwithstanding the decision on that question, the amount of the check is absolutely no assignment of the amount between the drawer and the drawee unless it should be accepted by the bank.

Mr. PARKER of New Jersey. I do not think that is the effect of the statute.

Mr. LEWIS of Washington. I thought there might be an omission in the law.

Mr. PARKER of New Jersey. The check of itself does not operate as an assignment. The idea is this: If distinct and different checks are drawn, the first check drawn does not assign the fund as against the bank. An assignment is not an assignment unless it operates against the bank. We have quite a number of decisions to that effect. There is one in 10 Wallace, page 153, which says that that is the present law of the United States.

Mr. LEWIS of Washington. The Supreme Court of the United States took that subject up in Holmes against Goldsmith, in 140 U. S., and recognized the proposition that the commercial law was general rather than following any State statute, and by that law merchant while there is no assignment as far as the drawee of a check is concerned upon the fund unless the holder of the fund shall accept it, yet it operates as evidence of an absolute assignment in behalf of the payee.

Mr. PARKER of New Jersey. I can only say that if it has been a disputed question, it is better to have a rule, whatever that rule may be. The case would be this: A man draws a check upon a bank and gives it to you and then he may go to the bank and stop the payment of that check, and that stoppage is always rec-

ognized; so that if he goes to the bank and says, "Do not pay it," you sue him for it and not the bank.

Mr. TAWNEY. Will the gentleman permit me a question?

Mr. PARKER of New Jersey. Certainly.

Mr. TAWNEY. How will the case stand in the event of an attachment of the fund, or a garnishment of the fund in the bank, by a creditor of the drawer of the check? Under this proposed statute the check could not become or operate under any circumstances as an assignment of the fund.

Mr. PARKER of New Jersey. Not until it gets there and is accepted by the bank.

Mr. TAWNEY. It could not be paid to the attaching creditor. Mr. PARKER of New Jersey. It would have to be accepted or paid by the bank. The idea of it is to force the man who takes the check to go quickly and get his money.

Mr. HOPKINS. Suppose the bank refuses to pay, and in the meantime a creditor of the giver of the check attaches the money in the bank, the holder of the check would lose the money.

Mr. PARKER of New Jersey. I fear that would be so, but banks do not refuse to pay checks unless the man that draws the check has no funds.

Mr. LEWIS of Washington. Assume the weak condition of the bank, that it did not want to pay, could it not refuse to pay on the ground that it had not accepted it, and escape liability?

Mr. PARKER of New Jersey. I think that is practically the law under the decisions as they now stand. I do not think the bank is liable except to the person who has the funds there.

Mr. HOPKINS. Yes; it is. If you give me a check upon a bank, I can sue that bank.

Mr. HEPBURN. I should like to ask the gentleman what the effect of this section—

Mr. JENKINS. Is the gentleman speaking of section 189?

Mr. HEPBURN. Yes. Suppose A has a check from B, who has funds in the bank. He presents his check, but for some reason or other it is not accepted or certified; the bank refuses to do it. Could the holder of that check, then, under this section, have a cause of action against the bank?

Mr. JENKINS. I think not.

Mr. HEPBURN. Ought he not to have?

Mr. JENKINS. I think not. I am only expressing my own views. I would like to say to the gentleman, and perhaps in answer to the question asked by the gentleman from Washington [Mr. LEWIS], that this section 189 is but a legislative declaration of the law of the Supreme Court of the United States, as recently expressed in an unreported case between a bank in Pennsylvania and a bank in New York.

Mr. LEWIS of Washington. They have a statute there?

Mr. JENKINS. No; it was not a statutory rule, but a decision of the Supreme Court of the United States, following the almost universal law on the subject. And the decisions of the courts of the United States are uniform in reference to this one matter. There are some States that hold that a check of itself operates to transfer that amount of a fund, if the fund is sufficient. This is but a part of the uniformity sought, and certainly the great weight of authority is all in favor of the declaration as here contained.

But I am not authorized to speak further than to say that the gentlemen who have asked that this bill may become a law wish to have the law on the subject uniform. That is certainly desirable. If there is any gentleman who feels that he does not want this to be the law of his State, it will be time enough for him to raise that question when it is sought to make it the law there. But this is the law now in a great many States—it is certainly the law wherever the Supreme Court of the United States has authority to speak.

Mr. Speaker, I desire to yield five minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL. Mr. Speaker, I am not familiar with the provisions of this bill; but I am familiar with the way in which it comes here. It is presented by Judge Brewster, of my State, a member of the American Bar Association, and the committee appointed for the purpose of endeavoring to secure the passage of this law by the various States of the Union. It comes here with the sanction also of a member of the bar of this District who has been associated with Judge Brewster on that committee.

Mr. HOPKINS. Is this measure approved by the American Bar Association?

Mr. HILL. I understand that it is. It comes here from a committee of that association. A year ago this measure was presented to the general assembly of Connecticut, and after most careful scrutiny by the gentleman who was then chairman of the judiciary committee and who has since been appointed a judge of the superior court in our State, it passed that general assembly unanimously. So that in proposing to apply this measure to the District of Columbia, we have the sanction of New York, Connecticut, and several other States that have already adopted it. It seems to me, therefore, it would be entirely safe to pass it without great scrutiny, simply for the sake of uniformity.

Mr. HOPKINS. Of course, if this bill has been considered section by section by a committee appointed by the American Bar Association—

Mr. HILL. It has been.

Mr. HOPKINS. That fact would have a great deal of weight with me as regards my individual vote. But if it is merely a code drawn up by some Connecticut lawyer or other New England lawyer, without having been otherwise considered, then I should think its operation might well be circumscribed to his locality, instead of being extended to all the States of the Union.

Mr. HILL. It has not only been considered section by section in the manner which the gentleman thinks necessary, but Judge Brewster, one of the ablest and most experienced judges of our State, spent months upon it; and it is brought here by him as a committee of the Bar Association.

Mr. HOPKINS. The gentleman will agree that on this question of bank checks the bill is liable to cause a good deal of trouble to parties receiving checks, and might lead to fraud.

Mr. HILL. That may be so, and I suppose the law on this subject varies in different States of the Union. But I have simply endeavored to state, from my personal knowledge, how the bill comes here and the indorsements it has received.

Mr. JENKINS. I understand that the provision now in question does not change the law in this District at all, but reenacts the law just as it is now recognized here.

I yield five minutes to the gentleman from Mississippi [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Speaker, some years ago, on the invitation or suggestion of the National Bar Association, each State of the Union, speaking through the State government, under acts of the various legislatures, joined in the appointment of commissioners to draft laws to be submitted to the different States with the view of unifying not only the commercial law, but the law on the subject of divorce, on the subject of descent and distribution, on the subject of conveyance of property, and a number of other subjects. On the question of commercial law there was quite a diversity of opinion, and after much labor spent upon the subject, after an examination of the English law and of the most approved laws of the leading States of the Union, the bill now submitted here was agreed upon by the "Uniformity of Laws Commission," a commission representing, as I have said, all the States of the Union. Since that time a number of the States have enacted this measure as the commercial law of those States.

Now, it is quite important that this bill be passed as a law of the District of Columbia, in order that the commercial law of this District may be more in harmony than it is now with that of the leading States of the Union. It will be only a little time before every State will have adopted this very act, because when tried it will be found to operate satisfactorily. I have examined the measure time and again. Many suggestions and amendments were adopted long before the bill ever reached this House.

Every member should understand that this bill, if passed, will apply only to the District of Columbia. It does not seek to affect anything outside of the District. If the bill contains some provisions which do not exactly meet the approval of all members, it seems to me it would be advisable that they accept some provisions that do not exactly suit them, if thereby they harmonize the law of the District of Columbia with that of a number of the States of the Union, especially when it is considered that in a short time this will be the law of nearly all the States.

For that reason I think the very best thing we can do is to pass this bill in the form in which it now exists.

Mr. JENKINS. I yield two minutes to the gentleman from Utah [Mr. KING], a member of the committee.

Mr. KING. Mr. Speaker, I desire to say that a bill somewhat similar to this, which attempts to cover the entire subject of negotiable instruments, was passed a number of years ago by the legislature of Utah. Previous to that time there had been much complication in relation to the subject of commercial paper. Similar uncertainties exist, I suppose, in other States where no act has been passed for the purpose of consolidating the law and enabling people to more thoroughly understand the questions involved in this subject. There can be no question but what a law codifying and fully covering the law of negotiable instruments is a necessity in this city; that it will prove satisfactory no one can doubt. It relieves men engaged in business from many doubts and uncertainties which would have to be adjudicated by the courts. The experience of the State of Utah with a law of this kind has been such as to enable me to commend it to this District or to any State that has not already a similar law.

Mr. DINGLEY. Mr. Speaker, I should like to suggest to the gentleman that, as this is a very complicated and important bill, and as it makes some changes in the law in respect to negotiable paper, it would be well not to have it go into effect immediately upon its approval by the President. I ask the gentleman whether it would not be wise to set some day in the future as the date of its taking effect; say the 1st day of July or some day thereafter.

It seems to me desirable that some notice should be given of the taking effect of the law.

Mr. LEWIS of Washington. And it ought to provide that it shall not affect existing contracts.

Mr. JENKINS. I desire to offer an amendment, to come in as section 191—

That this act shall take effect on the first Monday in September, 1898.

The amendment was agreed to.

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

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

Mr. BABCOCK. The District Committee has no further business to call up to-day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles:

H. R. 7203. An act extending the time within which the Pittsburg and Mansfield Railroad Company is authorized to construct a bridge across the Monongahela River;

H. R. 4385. An act relating to leases on the Hot Springs Reservation, and for other purposes;

H. R. 4066. An act to permanently locate the capital of the Territory of New Mexico;

H. Res. 92. Joint resolution for the relief of ex-Cadet Engineer J. E. Palmer; and

H. Res. 166. Joint resolution authorizing the Secretary of War to loan tents to the citizens' committee of the city of Cincinnati for the use of the Thirty-second National Encampment of the Grand Army of the Republic.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6546) making appropriations for the support of the Army for the fiscal year ending June 30, 1899.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 6896) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1899, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked for by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. PERKINS, and Mr. COCKRELL as the conferees on the part of the Senate.

PORT OF NIAGARA FALLS.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7877) to change the name of the port for collection of United States customs from Suspension Bridge to Niagara Falls.

The bill was read, as follows:

Be it enacted, etc., That the port for the collection of United States customs in the city of Niagara Falls, county of Niagara and State of New York, now known and designated port of Suspension Bridge, shall hereafter be known and designated port of Niagara Falls.

Mr. WADSWORTH. Mr. Speaker, the bill for which I have asked unanimous consent has passed the Senate and been reported favorably by the Ways and Means Committee of the House. I therefore move to substitute the Senate bill for the House bill. It is identical in every particular.

The SPEAKER. The gentleman can ask unanimous consent for the present consideration of the Senate bill. Is there objection to considering the Senate bill, S. 4078?

Mr. DOCKERY. Is the Senate bill identical with the House bill?

Mr. WADSWORTH. Identical with the House bill.

The SPEAKER. The Chair understands that it is identical. Is there objection?

There was no objection.

The bill S. 4078 was ordered to a third reading; and it was accordingly read the third time, and passed.

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

Mr. DINGLEY. I suggest that the House bill should be ordered to lie on the table.

By unanimous consent, the bill H. R. 7877 was ordered to lie on the table.

DENISON, BONHAM AND NEW ORLEANS RAILWAY, INDIAN TERRITORY.

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

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill (S. 3077) to grant the right of way through the Indian

Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes, was read. It provides that the Denison, Bonham and New Orleans Railway Company, a corporation created under and by virtue of the laws of the State of Texas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Indian Territory, beginning at a point to be selected by said railway company on Red River, near Denison, in Grayson County, in the State of Texas, and running thence by the most practicable route through the Indian Territory in a northerly direction to the southern boundary of the State of Kansas, at some point in the south line of Chautauqua County, in said State, with the right to construct, own, and maintain and operate a branch line of railway, beginning at a point not exceeding 35 miles north of Red River, on the main line, thence in a northwesterly direction to Fort Sill, in Oklahoma Territory, with the right to construct, use, and maintain such tracks, turn-outs, branches, sidings, and extensions as said company may deem it to their interest to construct.

Mr. BAILEY. I supposed that the Clerk was reading the Senate bill. It is a bill introduced both in the House and the Senate. It passed the Senate with various amendments. The Senate bill was referred to the Committee on Indian Affairs of the House, and that committee reported back the Senate bill as it passed the Senate.

The SPEAKER. The Chair understands that the bill was only reported to-day, and had not reached the Clerk's desk. The Clerk read the bill that was sent up.

Mr. BAILEY. I thought I sent up the bill as it passed the Senate.

The SPEAKER. It has been read as it passed the Senate, the Chair understands. Is there objection to the present consideration of the bill?

Mr. STEELE. I should like to know, in the first place, if this is unanimously reported?

Mr. BAILEY. It is unanimously reported from the Committee on Indian Affairs, and I will say to the gentleman from Indiana that it is in the usual form. Both the Senate committee and the House committees have particular requirements to which all these bills must conform.

Mr. STEELE. Has it the approval of the Commissioner of Indian Affairs?

Mr. BAILEY. These bills must always have the approval of the Commissioner before the committee will report them. They are always referred to the Commissioner of Indian Affairs.

The SPEAKER. Is there objection to the present consideration of the Senate bill? [After a pause.] The Chair hears none.

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

On motion of Mr. BAILEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

OMAHA NORTHERN RAILWAY COMPANY.

Mr. MERCER. Mr. Speaker, I ask unanimous consent for the present consideration of bill S. 2508.

The bill was read, as follows:

A bill (S. 2508) granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago reservations, in the State of Nebraska, and for other purposes.

Be it enacted, etc., That there is hereby granted to the Omaha Northern Railway Company, a corporation organized and existing under and by virtue of the laws of the State of Nebraska, and its assigns, the right of way for the construction of its proposed railroad through the Omaha and Winnebago Indian reservations in said State. Such right of way shall be 50 feet in width on each side of the center line of said railroad, and said company shall also have the right to take from the lands adjacent to the line of said railroad material, stones, and earth necessary for the construction of said railroad; also grounds adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water station, not to exceed in amount 200 feet in width and 3,000 feet in length for each station, to the extent of three stations within the limits of said reservations.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants, according to any treaties or laws of the United States, compensation shall be made to such occupant for all property to be taken or damage done by reason of the construction of said railroad. In case of failure to make satisfactory settlement with any such claimant, the just compensation shall be determined as provided for by the laws of the State of Nebraska enacted for the settlement of like controversies in such cases. The amount of damage resulting to the Omaha and Winnebago tribes of Indians in their tribal capacity by reason of the construction of said railroad through such lands as are not occupied in severalty shall be ascertained and determined in such manner as the Secretary of the Interior shall direct, and be subject to his final approval; but no right of way of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon the actual survey for the definite location of such railroad, including grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations shall have been approved and filed with the Secretary of the Interior, and until the compensation aforesaid shall have been fixed and paid, and the consent of the Indians on said reservation to the provisions of this act shall have been obtained in a manner satisfactory to the President of the United States. Said company is hereby authorized to enter upon such reservation for the purpose of surveying and locating its line of railroad: *Provided*, That such railroad shall be located, constructed, and operated with due regard to the rights of the Indians and the rules of the Secretary of the Interior: *Pro-*

vided further, That said railway shall construct and maintain continually all fences, roads and highways, crossings, and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way, or may be by the proper authorities laid out across the same: *Provided further*, That said railway shall be constructed through said reservations within three years after the passage of this act, or the rights herein granted shall be forfeited as to that portion of the road not constructed.

SEC. 3. That Congress may at any time alter, amend, or repeal this act; and the right of way hereby granted shall not be assigned or transferred in any form whatever, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Mr. MERCER. I desire to offer an amendment to section 1 of this bill which has been approved by the Committee on Indian Affairs. I offer it in lieu of the amendments to said section as suggested in the printed report accompanying this bill.

The Clerk read as follows:

Strike out all after the word "railroad," in line 9, page 1, and insert in lieu thereof the following:

"Except where such width shall be insufficient for the construction of said line of railroad, or the materials thereon shall be insufficient or objectionable for use in the construction of said railroad, the said company shall have the right to occupy or take from any lands adjacent to the line of said railroad any material, stones, and earth necessary for the construction, maintenance, or operation of said railroad; also grounds adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 100 feet in width and 2,000 feet in length for each station to the extent of two stations within the limits of said reservation."

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

Mr. STEELE. I would like to ask if this bill has the approval of the Commissioner of Indian Affairs?

Mr. MERCER. It has.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. MERCER. I have two other amendments, one of which is surplusage of words, and the other is changing the singular to the plural.

The Clerk read as follows:

On page 2, line 15, strike out the word "of;" and in line 16 strike out the word "way."

The amendment was agreed to.

Mr. MERCER. In lines 24 and 27, on page 3, the singular is used for "reservation." It should be "reservations." I move to strike out "reservation" in each line and insert in lieu thereof the word "reservations."

The Clerk read as follows:

Amend lines 24 and 27, page 3, by striking out the word "reservation" and inserting the word "reservations."

Mr. STEELE. Will that give four stations?

Mr. MERCER. No, sir. They wanted three, but the committee has only given two.

The amendment was agreed to.

Mr. DOCKERY. I desire to ask the gentleman whether the amendment has the approval of the Commissioner of Indian Affairs?

Mr. MERCER. Yes, sir; most of these amendments are made at the suggestion of the Interior Department.

Mr. DOCKERY. And what is the general effect and purpose of the amendments?

Mr. MERCER. The amendments were to place more safeguards on the bill than were in the bill when it came from the Senate. They reduce the stations from three to two and reduce the length of side tracks from 3,000 feet to 2,000 feet.

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

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER, NEAR GRAND ECORE, LA.

Mr. BAIRD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 5865.

The bill was read, as follows:

A bill (H. R. 5865) to authorize the Monroe Railway Construction Company to construct a bridge across Red River, at or near Grand Ecore, La.

Be it enacted, etc., That the Monroe Railway Construction Company be, and is hereby, authorized to construct and maintain a railroad bridge and approaches thereto across Red River at or near the town of Grand Ecore, in the parish of Natchitoches, State of Louisiana.

SEC. 2. That said bridge shall be located and built under and subject to such regulations for the security of navigation as the Secretary of War may prescribe; and to secure that object the said construction company shall submit for his examination a design and drawing of the bridge and a map of the location, and until the said plan and location are approved by him the bridge shall not be commenced or built; and should any change be made in said bridge before or after completion, such change shall likewise be subject to the approval of the Secretary of War.

SEC. 3. That said bridge shall be built with a suitable draw and be so kept and maintained as to offer safe, reasonable, and proper means for the passage of vessels and other craft through or under same; and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights or other signals as the Light-House Board may prescribe; and any changes in said bridge which the Secretary of War may at any time deem necessary, and order in

the interests of navigation, shall be made by the owners thereof at their own expense.

SEC. 4. That this act shall be null and void if actual construction of said bridge be not commenced in one year and completed in three years from the approval hereof.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

Mr. STEELE. I would like to know if the bill has received the approval of the Secretary of War?

Mr. BAIRD. It has.

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

The amendments recommended by the committee were read, as follows:

In the first line, after the word "Railway," insert the word "and," making the title of the bill read: "A bill to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecure, La."

In the third line of section 1, after the word "Railway," insert the word "and."

In the second line of section 3 erase "and be;" and in same line, after the word "and," substitute the word "managed" for the word "maintained."

In the fourth line of same section, after the word "through," substitute the word "and" for "or."

After section 3 insert the following new sections:

"SEC. 4. That said bridge built under this act and subject to its 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 railroad or public highway leading to the said bridge, and shall enjoy the right and privileges of other post roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

"SEC. 5. That all railroad companies desiring the use of said bridge shall be entitled to equal rights and privileges relative to the passage of railway trains over the same and the approaches thereto upon payment of a reasonable compensation for such use; or, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest."

And that sections 4 and 5 in the original bill be changed to 6 and 7, respectively.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Monroe Railway and Construction Company to construct a bridge across Red River, at or near Grand Ecure, La."

Mr. DINGLEY. I move that the House do now adjourn.

ARMY APPROPRIATION BILL.

Mr. HAGER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the bill (H. R. 6546) making appropriations for the support of the Army for the fiscal year ending June 30, 1899; when the Speaker signed the same.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Commissioner of Patents, transmitting the annual report of the Patent Office for the calendar year 1897—to the Committee on Patents.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Jacob S. Engleman, administrator of John Engleman, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General relating to the settlement of the accounts of Creighton M. Foraker and T. F. Green—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a reply to the House resolution of the 16th ultimo in regard to frauds upon customs through the Free Zone of Mexico—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of War submitting an additional estimate of appropriation for pay of the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of deficiency in the appropriation for pay, etc., of the Army—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter

from the Chief of Engineers, report of survey of Puyallup River, Washington—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of survey of Schuylkill River, Pennsylvania—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting a statement of deficiencies in the appropriation for the support of the militia of the District—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8875) to amend an act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, in Leflore County, in the State of Mississippi," reported the same without amendment, accompanied by a report (No. 715); which said bill and report were referred to the House Calendar.

Mr. ZENOR, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3077) to grant the right of way through the Indian Territory to the Denison, Bonham, and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes, reported the same without amendment, accompanied by a report (No. 716); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CORLISS, from the Committee on Interstate and Foreign Commerce, submitted the views of the minority of said committee on the bill of the House (H. R. 8961) to facilitate the construction and maintenance of telegraphic communication between the United States, the Hawaiian Islands, Japan, and China, and to promote commerce; which said views, accompanied by a report (No. 664, part 2), were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 983) to grant an increase of pension to Nathaniel Houghton, late colonel Twenty-fifth Ohio Volunteer Infantry, reported the same with amendment, accompanied by a report (No. 710); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr., reported the same with amendment, accompanied by a report (No. 711); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1462) granting an increase of pension to Enoch G. Adams, reported the same without amendment, accompanied by a report (No. 712); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3185) granting a pension to Lovezila L. Patterson, reported the same with amendment, accompanied by a report (No. 713); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 711) granting a pension to Anna M. Tate, reported the same with amendment, accompanied by a report (No. 714); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea," reported the same without amendment, accompanied by a report (No. 717); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 4449) granting a pension to Charles Beckwith, reported the same with amendment, accompanied by a report (No. 718); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1855) granting an increase of pension to David C. Waring, reported the same with amendment, accompanied by a report (No. 719); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6793) granting an increase of pension to James F. McKinley, reported the same with amendment, accompanied by a report (No. 720); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5245) granting a pension to Florence N. Waldron, helpless daughter of Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Infantry Volunteers, reported the same with amendment, accompanied by a report (No. 721); which said bill and report were referred to the Private Calendar.

Mr. COLSON, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7783) granting an increase of pension to Elizabeth Rogers, reported the same with amendment, accompanied by a report (No. 722); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky., reported the same with amendment, accompanied by a report (No. 723); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4979) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army, reported the same without amendment, accompanied by a report (No. 724); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess, reported the same with amendment, accompanied by a report (No. 725); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2119) to grant a pension to Miss Sallie Work, reported the same with amendment, accompanied by a report (No. 726); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8515) to increase the pension of William H. Savage, reported the same without amendment, accompanied by a report (No. 727); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 93) granting an increased pension to Isaiah F. Force, reported the same with amendment, accompanied by a report (No. 728); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 971) for the relief of Sarah E. Caro and Henry O. Bassett—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 969) for the relief of William T. Tell—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 6387) granting a pension to Ida Wiederhold—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 973) for the relief of the heirs at law of Edward N. Oldmixon—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 4916) granting a pension to Virginia C. Fleanor—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ZENOR: A bill (H. R. 9073) to extend the provisions of an act entitled "An act granting pensions to soldiers and sailors

who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890, to any master, pilot, engineer, sailor, or any other person serving upon any vessel of the Mississippi Marine Brigade and Ram Fleet, and their widows, minor children, and dependent parents—to the Committee on Invalid Pensions.

By Mr. LINNEY: A bill (H. R. 9074) to amend chapter 4, Title XIII, Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. PETERS: A bill (H. R. 9075) to authorize the construction of a bridge across the Missouri River at or near Quindaro, Kans., by the Kansas City, Northeastern and Gulf Railway Company—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: A bill (H. R. 9076) to regulate the use of the United States flag and official publications of the United States—to the Committee on the Judiciary.

By Mr. LOW: A bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891—to the Committee on Public Buildings and Grounds.

By Mr. STALLINGS: A bill (H. R. 9078) to authorize the Montgomery, Hayneville and Camden Railroad Company to construct and maintain a bridge across the Alabama River, between Claiborne and Prairie Bluff, Ala.—to the Committee on Interstate and Foreign Commerce.

By Mr. NEWLANDS: A bill (H. R. 9079) to create a public land commission—to the Committee on the Public Lands.

Also, a bill (H. R. 9080) directing the Secretary of the Interior to make surveys for and determine and report on the cost of erecting reservoirs on certain rivers and their tributaries in the United States, and making appropriations therefor, and for other purposes—to the Committee on Manufactures.

By Mr. HAMILTON: A bill (H. R. 9081) amending the act of August 4, 1886, granting an increase of pension to soldiers and sailors who shall have lost an arm or leg in the service—to the Committee on Invalid Pensions.

By Mr. LEWIS of Washington: A bill (H. R. 9146) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park—to the Committee on the Public Lands.

By Mr. CORLISS (by request): A bill (H. R. 9147) to provide for the erection of a bridge across the Detroit River at Detroit, in the State of Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. MERCER: A joint resolution (H. Res. 179) to restore the status of the Nebraska Militia who served during the late war—to the Committee on Invalid Pensions.

By Mr. HENDERSON: A resolution (House Res. No. 253) to appoint an assistant clerk to the Committee on the Judiciary for the Fifty-fifth Congress—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARHAM: A bill (H. R. 9082) granting a pension to William C. Beachey—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 9083) for the relief of Susan Saunders—to the Committee on Pensions.

Also, a bill (H. R. 9084) for the relief of Jose Ramon Trujillo—to the Committee on Military Affairs.

Also, a bill (H. R. 9085) for the relief of Darius Minier—to the Committee on Military Affairs.

Also, a bill (H. R. 9086) for the relief of Sisto Martinez—to the Committee on Military Affairs.

Also, a bill (H. R. 9087) for the relief of Jose Benito Atencio—to the Committee on Military Affairs.

By Mr. BOTKIN: A bill (H. R. 9088) granting an increase of pension to Joseph Cater—to the Committee on Pensions.

Also, a bill (H. R. 9089) for the relief of Parmelia R. Parris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9090) to increase the pension of H. Whitworth—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 9091) for the relief of the heirs and legal representatives of Peter Rubadeau—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 9092) for the relief of Elijah W. Teague—to the Committee on Pensions.

Also, a bill (H. R. 9093) for the relief of R. R. Barrow, of Geneva County, Ala.—to the Committee on War Claims.

By Mr. COLSON: A bill (H. R. 9094) for the relief of John W. Hay—to the Committee on Invalid Pensions.

By Mr. CURTIS of Iowa: A bill (H. R. 9095) granting an honorable discharge to Thomas W. Simmons—to the Committee on Military Affairs.

By Mr. CURTIS of Kansas: A bill (H. R. 9096) granting a pension to Eunice I. Godfrey, of Madison, Kans.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9097) granting an honorable discharge to James Coughlin, of North Topeka, Kans.—to the Committee on Military Affairs.

Also, a bill (H. R. 9098) for the relief of Thomas F. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 9099) directing the Secretary of the Interior to issue a patent to Thomas Mullin—to the Committee on Military Affairs.

Also, a bill (H. R. 9100) granting an increase of pension to James S. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9101) for the relief of Harvey Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 9102) to pension Anna J. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9103) for the relief of William T. Perdue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9104) for the relief of William W. Burritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9105) granting a pension to Sarah Reno—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9106) granting a pension to Mary C. Strouse—to the Committee on Pensions.

Also, a bill (H. R. 9107) granting an increase of pension to S. R. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9108) granting a pension to Joseph L. Farris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9109) granting a pension to D. H. Hazzard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9110) granting a pension to Lucinda B. Hull, widow of James E. Darrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9111) to pension Mrs. Georgeanna Eubanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9112) to pension Lula M. Jones—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 9113) for the relief of the estate of M. J. Grealish, deceased—to the Committee on Claims.

Also, a bill (H. R. 9114) for the relief of Martha E. Berger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9115) to correct the military record of David W. Smythe—to the Committee on Military Affairs.

Also, a bill (H. R. 9116) to correct the military record of Louis H. Mattern—to the Committee on Military Affairs.

By Mr. DANFORD: A bill (H. R. 9117) for the relief of Abraham Porter—to the Committee on Military Affairs.

By Mr. DAVISON of Kentucky: A bill (H. R. 9118) to remove the charge of desertion from the military record of John Noland—to the Committee on Military Affairs.

Also, a bill (H. R. 9119) granting an increase of pension to John G. Pond—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 9120) granting an increase of pension to Mary J. Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9121) increasing the pension of William H. Cummins—to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 9122) for the relief of Adam H. Gearheart, of Limestone, Ky.—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 9123) granting a pension to John D. Miller, of Greensburg, Ind.—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 9124) granting an increase of pension to Samuel Page, of Newport Center, Vt.—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 9125) granting a pension to Robert Patterson—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 9126) for the relief of R. A. Bickers, of Page County, Va.—to the Committee on War Claims.

By Mr. HILL: A bill (H. R. 9127) to correct the military record of David Cromwell—to the Committee on Military Affairs.

By Mr. HOOKER: A bill (H. R. 9128) ratifying and confirming a lease for a portion of the Cattaraugus Indian Reservation for the purpose of establishing a beet-sugar factory—to the Committee on Indian Affairs.

By Mr. JENKINS: A bill (H. R. 9129) to remove the charge of desertion from the record of Henry Bell—to the Committee on Military Affairs.

By Mr. LAWRENCE: A bill (H. R. 9130) to amend the naval record of Albert Burlingham, alias Albert Ward—to the Committee on Naval Affairs.

By Mr. MESICK: A bill (H. R. 9131) granting a pension to Mary Ann Kelley—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9132) granting the right to the city of Vincennes, Ind., to sell certain real estate—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 9133) for the relief of John O. McGrew—to the Committee on Military Affairs.

By Mr. NEWLANDS: A bill (H. R. 9134) for the relief of Jewett W. Adams—to the Committee on Claims.

By Mr. OSBORNE: A bill (H. R. 9135) granting a pension to Bernard McGuire—to the Committee on Invalid Pensions.

By Mr. RUSSELL (by request): A bill (H. R. 9136) to recognize and reward the public services of James C. Hallock as the originator of the clearing house in America—to the Committee on Claims.

By Mr. SETTLE: A bill (H. R. 9137) for the relief of William Foley, of Woodford County, Ky.—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 9138) to pension Julia B. Hubble—to the Committee on Invalid Pensions.

By Mr. STALLINGS: A bill (H. R. 9139) granting an increase of pension to James R. Cook—to the Committee on Pensions.

Also, a bill (H. R. 9140) granting an increase of pension to Felix Tate—to the Committee on Pensions.

Also, a bill (H. R. 9141) granting a pension to Mrs. A. Pinkston—to the Committee on Pensions.

By Mr. DAVEY: A bill (H. R. 9142) for the relief of P. B. S. Pinchback—to the Committee on Claims.

By Mr. CORLISS: A bill (H. R. 9143) for the relief of George A. Winslow—to the Committee on Military Affairs.

By Mr. CRUMP: A bill (H. R. 9144) to increase the pension of Olive M. Partridge, widow of Bvt. Brig. Gen. Benjamin F. Partridge—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 9145) removing the charge of desertion against David Whitford—to the Committee on Military Affairs.

By Mr. FARIS: A bill (H. R. 9146) increasing the pension of John Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9147) granting a pension to Mary R. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9150) to correct the military record of Sanford B. Shipplor—to the Committee on Military Affairs.

Also, a bill (H. R. 9151) to increase the pension of Alexander W. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9152) to pension Eunice Varner—to the Committee on Pensions.

PETITIONS, ETC.

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

By Mr. BABCOCK: Petition of Alpha Lodge, No. 26, Brotherhood of Locomotive Firemen, of Baraboo, Wis., praying for the passage of the anti-scalping bill—to the Committee on the Judiciary.

By Mr. BARHAM: Petition of the Woman's Christian Temperance Union of Santa Rosa, Cal., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BELL: Petition of citizens of Pueblo, Colo., in favor of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Woman's Christian Temperance Union of Montrose, Colo., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Cripple Creek Trades Assembly and Victor Trades Assembly, of the State of Colorado, in favor of (1) the eight-hour law; (2) Senate bill No. 35, relative to use of writ of injunction; (3) Senate bill No. 95; (4) against convict-labor competition—to the Committee on Labor.

Also, resolutions of Denver Division, No. 44; Arkansas Valley Division, No. 36, Order of Railway Conductors, of Colorado, in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOTKIN: Petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of legislation prohibiting in the District of Columbia and the Territories kinetoscope reproductions of pugilistic encounters and also the interstate transportation of materials of the same—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petition of the Woman's Christian Temperance Union of Eldorado, Kans., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also (by request), petition of the Woman's Christian Temperance Union of Eldorado, and Presbyterian churches of Baldwin and Blackjack, State of Kansas, to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also (by request), petition of the Presbyterian churches of Baldwin and Blackjack, Kans., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BOUTELLE of Maine: Petition of Michael M. Clark and other citizens of Houlton and Sherman, Me., for an army post at Bangor, Me.—to the Committee on Military Affairs.

Also, petition of George M. Poole and 19 citizens of Dover, Me.; Oliver M. Cousins and others, of Dexter, Me., protesting against the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Friends' Church, South China, Me.; Free Baptist Church, Palermo, Me., and Baptist Church and Society of Cary, Me., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Friends' Church of South China, Free Baptist Church of Palermo, Me., and Baptist Church and Society of Cary, Me., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Baptist Church and Society of Cary, Me., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Baptist Church and Society of Cary, Me., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. BROSIUS: Resolutions of the Board of Trade of Baltimore, Md., against any legislative interference with the civil-service laws—to the Committee on Reform in the Civil Service.

Also, petition of Inland City Council, No. 998, Junior Order United American Mechanics, and other citizens of Lancaster, Pa., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. CAPRON: Evidence in support of House bill No. 8781, granting a pension to Mrs. Mary Jane Bennett, dependent daughter of Joseph L'Esperance, a fier in the Revolutionary war—to the Committee on Pensions.

By Mr. COCHRANE of New York: Petition of the Methodist Episcopal Chapel of Copake, N. Y., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Boston Corners, N. Y., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. DALZELL: Paper to accompany House bill for the relief of Martha E. Berger—to the Committee on Invalid Pensions.

Also, papers to accompany House bill relating to the claim of Capt. M. J. Grealish, United States Army—to the Committee on Claims.

Also, papers to accompany the application of Louis H. Mattern, of Pittsburgh, Pa., for an act to relieve him from conviction of desertion by court-martial—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of David W. Smythe—to the Committee on Military Affairs.

Also, protest of the State board of health of Pennsylvania against the Hepburn bill, relating to quarantine—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Mount Sinai Lodge, Knights of Pythias, endorsing House bill No. 6468, relative to lease of ground at Hot Springs, Ark.—to the Committee on the Public Lands.

Also, petitions of the Christian Endeavor societies of the Second Presbyterian Church and Homewood Avenue Presbyterian Church, of Pittsburgh, Pa., for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DANFORD: Petitions of R. Robinson and 17 other citizens of Belmar, N. J.; Henry A. Lisle and many others, of Bridgeport and West Wheeling; E. L. Kirk and many others, of Barnesville; John H. Vickers, of Martins Ferry; J. B. McPherson, A. J. Chapin, and others, of Norwalk, and E. H. Knox, Otis Cox, and others, of Barnesville, all citizens of the State of Ohio, in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. DAVIDSON of Wisconsin: Petition of the Chamber of Commerce of Milwaukee, Wis., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. DE VRIES: Petitions of the Woman's Christian Temperance unions of Lockeford, Elk Grove, and Brighton, Cal., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Lockeford, Elk Grove, and Brighton, Cal., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Lockeford, Elk Grove, and Brighton, Cal., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance unions of Lockeford, Elk Grove, and Brighton, Cal., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. DOVENER: Petition of William A. Haun and others, James E. Ward and others, and Sanford Glass and others, of New Cumberland, Hancock County, W. Va., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. GIBSON: Petitions of W. C. Jones and 149 others, of Briceville; H. S. Pless and 23 others, of Rockwood, State of Tennessee, praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Petition of 24 citizens of Sparta, Wis., in favor of bills to raise the age of protection to 18 years; to forbid the sale of intoxicating liquors in all Government buildings; to forbid the interstate transmission of lottery messages, etc., by telegraph; to exclude illiterate immigrants—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Petition of W. W. Page and 87 others and Robert Cravens and 24 others, all citizens of Madison, Ind., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of the Woman's Christian Temperance Union, teachers, and other citizens of South Manchester, Conn., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Center Congregational Church and Methodist Episcopal Church, of South Manchester, Conn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Center Congregational Church, Methodist Episcopal Church, and Woman's Christian Temperance Union, of South Manchester, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union, Center Congregational Church, Methodist Episcopal Church, and Methodist Episcopal Church of South Manchester, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. HENRY of Texas: Petitions of citizens of Hearne, Kosse, Bremond, College Station, Sutton, Calvert, Groesbeck, and Bryan, Tex., in favor of the passage of the so-called anti-scalping

ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HILL: Petitions of the Young People's Society of Christian Endeavor of the Congregational Church of Watertown, Conn., and Mrs. C. S. Mackenzie, of Danbury, Conn., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Granville G. Pierce, of Stamford, Conn.; Nicholas Tesing, H. B. Porter, B. F. White, and other citizens, of Bridgeport, Conn., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance Union and First Congregational Church of Plymouth, Conn., and Young Woman's Christian Temperance Union and Young People's Society of Christian Endeavor of the Congregational Church of Watertown, Conn., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union and First Congregational Church of Plymouth, Conn., and Young Woman's Christian Temperance Union of Watertown, Conn., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union and First Congregational Church of Plymouth, Conn., and Young People's Society of Christian Endeavor of the Congregational Church and Young Woman's Christian Temperance Union of Watertown, Conn., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. HOWELL: Petition of citizens of Asbury Park, N. J., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Resolution of Perry Division, No. 84, Order of Railway Conductors, of Perry, Iowa, and council of administration, Grand Army of the Republic, department of Iowa, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: Petition of citizens of Glenwood, Wis., in behalf of the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. JOHNSON of North Dakota: Petition of the Young People's Society of Christian Endeavor and Congregational Church of Caledonia, and of the Methodist Episcopal and Presbyterian churches of Neche, N. Dak., in behalf of the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Young People's Society of Christian Endeavor and Congregational Church of Caledonia, and of the Methodist Episcopal and Presbyterian churches of Neche, N. Dak., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of the Young People's Society of Christian Endeavor and Congregational Church of Caledonia, and Methodist Episcopal Church of Neche, N. Dak., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Young People's Society of Christian Endeavor and Congregational Church of Caledonia, and Methodist Episcopal Church of Neche, N. Dak., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. JOY: Petition of the Central Woman's Christian Temperance Union of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. LANHAM: Petition of citizens of Kennedale, Tex., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: Petition of the Woman's Christian Temperance Union of Whatley, Mass., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Whatley, Mass., praying for the passage of a bill prohibiting the

sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Whatley, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. LLOYD: Petition of the Epworth League, No. 2875, of Lancaster, Mo., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. MCCALL: Resolution of the Boston Boot and Shoe Club, in support of currency reform based on the gold standard—to the Committee on Banking and Currency.

By Mr. McRAE: Petition of Adams Division, No. 59, Order of Railway Conductors, of Texarkana, Ark., in favor of the passage of a bill to suppress ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. MERCER: Resolutions of Omaha Division, No. 126, Order of Railway Conductors, of Omaha, Nebr., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Delian and Pollaslian Literary societies of Nebraska University, of Lincoln, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. MILLER: Petition of the Chamber of Commerce of the city of Huntington, W. Va., asking for the completion of the improvement of the Big Sandy River—to the Committee on Rivers and Harbors.

Also, petition of Mrs. M. E. Turner and 250 others, citizens of Huntington, W. Va., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, evidence to accompany House bill for the relief of John O. McGrew—to the Committee on Military Affairs.

Also, petitions of C. W. Gander and 23 others, Grant Stalnaker and 24 others, J. W. Smith and 25 others, M. Starcher and 25 others, and J. H. Camp and 20 others, all citizens of Roane County, W. Va., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, criminal, and pauper classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. MOODY: Petition of Walter B. Hodgdon, of Haverhill, Mass., for an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany House bill No. 6227, for the relief of Daniel Cook—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 4281, for the relief of Jacob Cross—to the Committee on Military Affairs.

Also, petitions of citizens of Winchester, Tenn.; also of many citizens of South Pittsburg, Tenn., favoring the passage of Senate bill No. 3037 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. NEWLANDS: Two petitions of property holders of Virginia City and Gold Hill, Nev., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. OTJEN: Petition of the officers and members of Company A, Fourth Infantry, National Guard, State of Wisconsin, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so as to provide that the annual appropriation for the National Guard be not less than \$1,000,000—to the Committee on the Militia.

Also, resolutions of the Chamber of Commerce of Milwaukee, Wis., asking for the passage of House bill No. 6705, to prevent the adulteration of flour—to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of Milwaukee, Wis., favoring the passage of Senate bill No. 3354, for the regulation of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS: Petition of W. T. Brown, in behalf of 24 persons attending a meeting of Our Young People's Christian Union, at Ireton, Iowa, March 6, 1898, praying for the passage of a bill to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the council of administration, Grand Army of the Republic, Department of Iowa, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Petition of the Presbyterian Society of Christian Endeavor of Aledo, Ill., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Presbyterian Society of Christian Endeavor of Aledo, Ill., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Presbyterian Society of Christian Endeavor, of Aledo, Ill., in favor of bills to raise the age of protection of girls to 18 years, to forbid the sale of intoxicating liquors in all Government buildings, and to forbid the interstate transmission of lottery messages, etc., by telegraph—to the Committee on the Judiciary.

Also, petition of the Presbyterian Society of Christian Endeavor of Aledo, Ill., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of L. M. Lepper, of Kendallville, Ind., asking for the substitution of a Union-flag stamp for the 2-cent stamp—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: Petition of members of the Broadway Congregational Church, Norwich, Conn., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SETTLE: Petition of William Foley, of Woodford County, Ky., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

Also, petition of S. Benjamin and 19 others, J. S. Boyd and 18 others, J. C. Anderson and 19 others, all citizens of the State of Kentucky, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petitions of Rev. Frank L. Phalen, general secretary New Hampshire Unitarian Association, Concord, N. H.; Rev. John M. Jansen, Newark, N. J.; Rev. Isaac W. Carter, Baltimore, Md.; Rev. A. H. Acken, Pittsburg, Pa.; Rev. F. J. Collier, Woodstown, N. J.; Rev. Jos. K. Dixon, Scranton, Pa.; Rev. M. A. Gifford, Philadelphia, Pa.; Rev. H. J. M. Sill, Wilmington, Del.; Rev. R. S. Jones, Scranton, Pa.; Rev. E. Cromwell, Butler, Pa.; Rev. J. Parker, Asbury Park, N. J.; Rev. J. C. Mumma, Rehersburg, Pa.; Rev. P. Junocent, Hastings, Pa.; Rev. J. E. Kidney, Derry Station, Pa.; Rev. E. McNichol, Pocomoke, Md.; Rev. A. A. Par, Springfield, Pa.; Rev. R. L. Brydges, Islip, N. Y.; Rev. J. G. Hahn, Carmichaels, Pa.; Rev. S. Ambrose, Newcastle, Del.; Rev. J. W. Lee, Little Silver, N. J.; Rev. J. M. Mickly, McKnightstown, Pa.; Rev. H. V. Beatty, Hoboken, N. J.; Rev. S. W. Kauffman, East Salem, Va., in favor of the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: Petition of citizens of McKenzie and Trezevant, Tenn., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. SNOVER: Petitions adopted at public temperance meetings at Helena and Sandbeach, Mich., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, sundry petitions of citizens of the State of Michigan, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions from various labor organizations of the State of Michigan, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of W. N. Pierce and 19 others, of Connecticut, protesting against the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Petition of Gas City Lodge, No. 9, State of Indiana Amalgamated Association of Iron and Steel Workers, praying for the passage of the prison-labor bill and the anti-injunction bill—to the Committee on Labor.

By Mr. STEPHENS of Texas: Petition of citizens of El Paso, Tex., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. STEWART of Wisconsin: Resolutions of the Chamber of Commerce of Milwaukee, Wis., relative to an act to regulate commerce so as to give it the largest degree of efficiency—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Merrill, Wis., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in origi-

nal packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. STRODE of Nebraska: Resolutions of Claud Champion Division, No. 227, Order of Railway Conductors, of Lincoln, Nebr., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of officers and members of the Second Regiment Infantry National Guard, of Nebraska, asking for the passage of House bill No. 2876, to promote the efficiency of the militia—to the Committee on the Militia.

Also, petition of the East Lincoln Church of Christ, of Lincoln, Nebr., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the East Lincoln Church of Christ, of Lincoln, Nebr., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of citizens of Bellwood, Nebr., and East Lincoln Church of Christ, of Lincoln, Nebr., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the East Lincoln Church of Christ, of Lincoln, Nebr., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. STURTEVANT: Petitions of the Woman's Christian Temperance Union and pastors of Cambridge Springs, union meeting of five churches of Linesville, Pa., and Grange No. 871, Patrons of Husbandry, of Rundells, Pa., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. SULLOWAY: Petition of the Woman's Christian Temperance Union of Candia, N. H., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Metropolitan Presbyterian Church, of Washington, D. C., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. TAYLER of Ohio: Petitions of the Presbyterian Church and Christian Endeavor, Methodist Church and Epworth League, Baptist Church, and Gurney Friends, of Salem, Ohio; and the King's Daughters of the Methodist Protestant Church, the Epworth League of the First Methodist Episcopal Church, the Young People's Society of Christian Endeavor of the Christian Church, and Methodist Protestant Church, of East Liverpool, Ohio, in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of various churches and societies in Salem and East Liverpool, Ohio, to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Salem and East Liverpool, Ohio, to prohibit interstate gambling—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Salem, Ohio, to prohibit interstate circulation of prize-fight descriptions—to the Committee on Interstate and Foreign Commerce.

Also, petitions of various churches and societies of Salem, Ohio, to prohibit the reproduction by kinetoscope of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of various churches and societies of Salem, Ohio, to protect the Sabbath—to the Committee on the District of Columbia.

Also, petitions of various churches and societies of Salem and East Liverpool, Ohio, to forbid the sale of liquors in Government buildings—to the Committee Alcoholic Liquor Traffic.

Also, petitions from various churches and societies of Salem, Ohio, to substitute arbitration for strikes—to the Committee on Labor.

Also, petition of James W. Barnaby and 184 other citizens of Alliance, Ohio, in favor of the modification of the civil-service laws—to the Committee on Reform in the Civil Service.

By Mr. WADSWORTH: Petition of the Woman's Christian Temperance Union of Oakfield, N. Y., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Batavia, N. Y., approving the anti-scalping bill now pending in Congress—to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER of Massachusetts: Petition of the Woman's

Christian Temperance Union of Auburn, Mass., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Auburn, Mass., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Auburn, Mass., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Auburn, Mass., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WANGER: Petition of James P. Hellings, S. B. Hibbs, H. M. Douglas, and 93 other citizens of Middletown Township, Bucks County, Pa., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, March 15, 1898.

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O, Eternal God, hearken to our devout prayers in behalf of Thine honored servant, the junior Senator from Nebraska, and his children, smitten by a heavy blow, the death of the wife and mother. Grant to them and to us a simpler, clearer, more vivid sense of the life to come, of which we have sure witness and warrant in the resurrection of Jesus Christ, Thy Son, from the dead, who has opened to us the world of immortality and eternal life. And so may they and we find consolation in the loss of our beloved ones from the earth by the sweet and gracious consciousness that they still live, with all their endowments of intelligence and affection, and that the bond between them and us is not severed, but may become more sacred and tender and beautiful, and the earth be glorified by the radiance which streams from the heaven of heavens upon our path and upon their faces.

Keep us, O Lord, in the way of life everlasting. Through Jesus Christ, Thy Son, our Saviour. Amen.

Mr. ALLEN. Mr. President, I ask unanimous consent that the prayer just offered by the Chaplain be printed in the RECORD.

The VICE-PRESIDENT. Is there any objection to the request made by the Senator from Nebraska? The Chair hears no objection, and the order is made. The Secretary will read the Journal of yesterday's proceedings.

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

FOREST RESERVES.

The VICE-PRESIDENT laid before the Senate a communication from the Director of the United States Geological Survey, transmitting, in response to a resolution of the 28th ultimo, certain information relative to the surveys of public lands since June 4, 1897, that have been designated as forest reserves, with the amount of land surveyed in each of the reservations under authority of the act of Congress approved June 4, 1897; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 587) granting a pension to Henry H. K. Elliott;

A bill (H. R. 747) granting an increase of pension to Lovenia Bayles;

A bill (H. R. 771) granting an increase of pension to Bernard Dunn;

A bill (H. R. 863) granting a pension to Francis Shetais, alias Frank Stay;

A bill (H. R. 1322) granting a pension to Benjamin F. Howland;

A bill (H. R. 1801) granting an increase of pension to Catherine Clifford;

A bill (H. R. 2023) to pension Henderson H. Boggs;

A bill (H. R. 2074) granting a pension to Jane H. Sandborn;

A bill (H. R. 2159) granting an increase of pension to Col. Benjamin Beach;

A bill (H. R. 2199) granting an increase of pension to Henry F. Rice;

A bill (H. R. 2426) granting an increase of pension to Helen Larned;

A bill (H. R. 2629) granting a pension to John Thurston, of Island Pond, Vt.;

A bill (H. R. 2815) granting an increase of pension to Eliza Miller;

A bill (H. R. 2850) granting a pension to Sarah Spangler;

A bill (H. R. 3141) increasing the pension of Price W. Hawley;

A bill (H. R. 3160) to place on the pension rolls the name of Minerva Sample;

A bill (H. R. 3326) granting a pension to Thomas S. Hancox;

A bill (H. R. 3362) granting an increase of pension to Bolivar J. Pridgen;

A bill (H. R. 3661) granting a pension to Charles L. Stephens;

A bill (H. R. 3737) granting an increase of pension to Orlando J. Hopkins;

A bill (H. R. 3798) granting an increase of pension to Milton Iserman;

A bill (H. R. 4116) to increase the pension of Charles C. Short;

A bill (H. R. 4160) granting an increase of pension to George W. Garrison;

A bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler, formerly private, Company A, First United States Infantry;

A bill (H. R. 4206) granting an increase of pension to Jacob G. Frick;

A bill (H. R. 4299) for increase of pension to Alexander E. Ingraham;

A bill (H. R. 4300) to increase the pension of John C. Wagoner;

A bill (H. R. 4314) to increase the pension of Moritz Tschoepe;

A bill (H. R. 4526) granting a pension to Mary Vockey;

A bill (H. R. 4672) granting an increase of pension to Alfred D. Johnson;

A bill (H. R. 4675) granting an increase of pension to George Van Vliet, of Brookville, Pa.;

A bill (H. R. 4981) granting an increase of pension to William D. Seamans, late a private, Company L, Fourteenth New York Heavy Artillery;

A bill (H. R. 5035) increasing the pension of B. F. Wonder;

A bill (H. R. 5156) granting an increase of pension to Daniel J. Smith;

A bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States;

A bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry;

A bill (H. R. 6078) for the relief of Abel B. Fowler;

A bill (H. R. 6209) to pension William Stephenson Smith;

A bill (H. R. 6515) granting a pension to Grace Gudgeall;

A bill (H. R. 7165) granting an increase of pension to Alphonso Freeman;

A bill (H. R. 7539) granting an increase of pension to Mrs. Martha M. McCall; and

A bill (H. R. 8333) granting an increase of pension to Michael H. J. Crouch.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 334) granting an honorable discharge to Samuel Johnston;

A bill (H. R. 375) to remove the charge of desertion standing against Dennis Fitzpatrick;

A bill (H. R. 1037) to remove the charge of desertion standing against the name of Patrick Dougherty, Company A, Thirteenth New York Volunteer Infantry;

A bill (H. R. 2080) to correct the military record of Edward P. Jennings;

A bill (H. R. 2430) removing charge of desertion from military record of W. H. Cohorn;

A bill (H. R. 2768) for the relief of George Peyton from the charge of desertion and to grant him an honorable discharge;

A bill (H. R. 3243) for the relief of Cordell B. Green, Company D, Sixteenth Michigan Infantry;

A bill (H. R. 3990) to remove the charge of desertion from the record of John R. Butler;

A bill (H. R. 4041) removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry;

A bill (H. R. 5040) for the relief of Isaac N. Babb;

A bill (H. R. 5113) to remove the charge of desertion from and to correct the military record of Capt. William Churchill, late a private of Company K, Second Regiment of United States Cavalry;

A bill (H. R. 5325) for the relief of John Rustman;

A bill (H. R. 7931) for the relief of Albert D. Lee;

A bill (H. R. 2477) to relieve John McCarthy from the charge of desertion; and

A bill (H. R. 4418) to remove the charge of desertion from the naval record of Horace G. Reed.

The bill (H. R. 1307) to correct the naval record of G. K. Knowlton, late of the United States Navy, was read twice by its title, and referred to the Committee on Naval Affairs.