By Mr. GARDNER of New Jersey: A joint resolution (H. J. Res. 264) authorizing the President to restore Clayton J. Bailey to his position and rank as a first lieutenant in Twenty-eighth Regiment of Infantry, United States Volunteers—to the Committee on Military Affairs.

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. BOREING: Paper to accompany House bill for the relief of Jasper Willis—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: Paper to accompany House bill relating to the claim of Howard & Spivey, of the State of Arkansas—to the Committee on War Claims.

By Mr. BURKETT: Papers to accompanying House bill granting a pension to Moses Davis—to the Committee on Invalid Pensions.

By Mr. BURLESON: Petition of J. J. Thames and other druggists of Taylor, Tex., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petition of the University of Texas, urging the establishment of a national standards bureau—to the Committee on Coinage, Weights, and Measures.

Also, petition of the Ex-Slave Mutual Relief, Bounty, and Pension Association, in favor of Senate bill No. 1176, to pension ex-slaves—to the Committee on Pensions.

By Mr. DE VRIES: Petitions of the California Club and citizens of the State of California, urging the acquisition of the Calaveras Grove of Sequoias, and the preservation of the big trees, to accompany House bill No. 11000—to the Committee on the Public Lands.

By Mr. GRAHAM: Resolutions of the twenty-ninth session of the Illinois Association of Mexican War Veterans, Taylorsville, Ill., for increase of pension for services in war with Mexico—to the Committee on Pensions.

By Mr. GRIFFITH: Resolutions of Wheeler Post, No. 98, of Versailles, Ind., Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petitions of the Presbyterian Church of Hanover, and the Baptist Church of Levi, Ind., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. JACK: Paper to accompany House bill No. 5147, to correct the military record of John A. White—to the Committee on Military Affairs.

By Mr. KAHN: Petition of retail druggists of San Francisco, Cal., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By. Mr. McALEER: Petition of the Philadelphia (Pa.) Produce Exchange, urging the repeal of the tax of 2 cents on checks—to the Committee on Ways and Means.

Also, resolutions adopted at a meeting of German-American societies in Cleveland, Ohio, urging the Government to use its friendly offices to bring about a cessation of hostilities between Great Britain and the South African Republics—to the Committee on Foreign Affairs.

Also, resolutions of Branch No. 157, of Philadelphia, National Association of Letter Carriers, asking for the passage of House bill No. 4911, equalizing the salaries of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, letter of J. W. Dampman, in behalf of Maj. Gen. Alexander S. Webb, of New York, for his reinstatement on the military retired list—to the Committee on Military Affairs.

Also, resolutions of the Maritime Association of the Port of New York, in favor of Senate amendments to House bill No. 8347, restoring the appropriations for the maintenance of the Hydrographic Office—to the Committee on Appropriations.

Also, resolutions of Forest City Lodge, No. 10, Brotherhood of Locomotive Firemen, Cleveland, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, petition of the Sea Gull Specialty Company, of Baltimore, Md., protesting against the passage of section 7 of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of the Woman's Christian Temperance Union of Winchester, Mass., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. MERCER: Resolution of the Commercial Club of South Omaha, Nebr., in reference to House bill No. 887, relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. O'GRADY: Petition of G. Manuel and other druggists of Rochester, N. Y., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. OTEY: Papers relating to the claim of Albert F. May, of Virginia—to the Committee on War Claims.

By Mr. POWERS: Petition of druggists of Burlington, Vt., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. RIXEY: Paper to accompany House bill for the relief of the trustees of the Methodist Episcopal Church South, of Sudley, Prince William County, Va.—to the Committee on War Claims.

By Mr. SIBLEY: Petitions of certain churches and societies of Pottstown, Bradford, and Bloomsburg, Pa., asking for the passage of the anti-canteen bill, prohibiting the sale of liquors on premises used for military purposes—to the Committee on Military Affairs.

By Mr. TAWNEY: Paper to accompany House bill for the relief of Charlotte E. Baird—to the Committee on Invalid Pensions.

By Mr. TONGUE: Petitions of the Christian Church and Cumberland Presbyterian Church, of Cottage Grove, Lane County, Oreg., urging the enactment of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. WATERS: Petition of the First Baptist Church, of Redlands, Cal., asking for the passage of the anti-canteen bill, prohibiting the sale of liquors on premises used for military purposes—to the Committee on Military Affairs.

By Mr. YOUNG: Petition of John Lucas & Co., of Philadelphia, Pa., for the reclamation of arid lands and increasing the appropriation to the Hydrographic and Geological Survey—to the Committee on Irrigation of Arid Lands.

SENATE.

FRIDAY, *June 1, 1900.*

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

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

The PRESIDENT pro tempore. The Journal will, without objection, stand approved.

LEGISLATION AFFECTING PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, stating that the governor of Porto Rico has communicated to the President a suggestion that pending legislation in Congress affecting matters in that island should at once be referred there in order that the civil government may advise the lawmaking branch as to the possible bearing of such legislation; which was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

THE FIVE CIVILIZED TRIBES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, calling attention to the very great importance of having legislative action upon the agreement between the Commission to the Five Civilized Tribes and the Cherokee tribe of Indians, and also upon the agreement negotiated between the Commission to the Five Civilized Tribes and the Muscogee or Creek tribe of Indians, etc.; which was referred to the Select Committee on the Five Civilized Tribes of Indians, and ordered to be printed.

MAJ. W. L. FISK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, submitting a communication from Maj. W. L. Fisk, Corps of Engineers, presenting certain facts pertaining to disallowances by the Auditor for the War Department in the settlement of his accounts, aggregating $116.15; which, with the accompanying papers, was referred to the Committee on Appropriations.

CONFEDERATE CEMETERY AT CAMP CHASE, OHIO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Quartermaster-General of the Army, submitting a communication from Capt. R. B. Turner, Sixth Infantry, quartermaster at Columbus Barracks, Ohio, relative to the rebuilding of the stone wall and iron gate inclosing the Confederate burial ground at Camp Chase, Ohio; which, with the accompanying papers, was referred to the Committee on Appropriations.

WILLIAM L. DUGGER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of William L. Dugger *vs.* The United States; which, with the accompanying papers, was referred to the Committee on Claims, 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. 269) granting a pension to Rosa G. Thompson, formerly Rosa G. Edwards;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

A bill (H. R. 315) granting an increase of pension to Moses H. Taber;
A bill (H. R. 437) granting a pension to Mary E. Reynolds;
A bill (H. R. 504) granting an increase of pension to William T. Lowry;
A bill (H. R. 1204) granting a pension to Martha McSwain;
A bill (H. R. 1288) granting a pension to Cornelius W. Roberts;
A bill (H. R. 1734) granting a pension to Mary A. Whitmore;
A bill (H. R. 1803) granting a pension to Julia E. G. Lewis;
A bill (H. R. 1990) granting a pension to Julia A. Heath;
A bill (H. R. 2362) granting a pension to Bethuel H. Brasted;
A bill (H. R. 2398) granting a pension to Andrew Jackson;
A bill (H. R. 2849) granting a pension to Mary A. Hanson;
A bill (H. R. 3089) granting an increase of pension to Kate M. Pond;
A bill (H. R. 3767) granting an increase of pension to John W. Hartley;
A bill (H. R. 3861) granting an increase of pension to Jesse Millard;
A bill (H. R. 4069) granting a pension to Julia A. Kinkead;
A bill (H. R. 4650) granting a pension to Sarah Parrish;
A bill (H. R. 4679) granting a pension to Micager Philpot;
A bill (H. R. 4800) granting a pension to Joseph Crawford;
A bill (H. R. 4879) granting an increase of pension to D. Cyrus Holdridge;
A bill (H. R. 4986) granting an increase of pension to William P. Aylesworth;
A bill (H. R. 5007) granting an increase of pension to Smith Miner;
A bill (H. R. 5117) granting a pension to Roland Burnett;
A bill (H. R. 5120) granting an increase of pension to John S. Coggeshall;
A bill (H. R. 5150) granting a pension to William Love;
A bill (H. R. 5208) granting a pension to Mary E. Dickey;
A bill (H. R. 5444) granting an increase of pension to Albert W. Brush;
A bill (H. R. 5644) granting an increase of pension to Charles Alfred De Arnaud;
A bill (H. R. 5648) granting a pension to Mary B. Allen;
A bill (H. R. 5894) granting an increase of pension to Nathaniel Townsend;
A bill (H. R. 5944) granting an increase of pension to Jeremiah Everly;
A bill (H. R. 6096) granting an increase of pension to Samuel W. Kirkendall;
A bill (H. R. 6407) granting an increase of pension to Michael S. Brockett;
A bill (H. R. 6776) granting a pension to Annie Chamberlain;
A bill (H. R. 6854) granting an increase of pension to Frederick W. Kellogg;
A bill (H. R. 6902) granting a pension to Lydia A. Tryon;
A bill (H. R. 6947) granting an increase of pension to Alonzo C. Rembaugh;
A bill (H. R. 7012) granting a pension to Emma C. Stephenson;
A bill (H. R. 7158) granting an increase of pension to Levi S. Parrott;
A bill (H. R. 7159) granting an increase of pension to Wesley C. Sawyer;
A bill (H. R. 7179) granting a pension to Clarence S. Hall;
A bill (H. R. 7190) granting an increase of pension to George O. Cole;
A bill (H. R. 7327) granting an increase of pension to Charles N. Paine;
A bill (H. R. 7328) granting an increase of pension to John Nicklin;
A bill (H. R. 7329) granting an increase of pension to Lewis Swenson;
A bill (H. R. 7553) granting an increase of pension to Fannie M. O'Linn;
A bill (H. R. 7600) granting an increase of pension to Charles Claussen;
A bill (H. R. 7621) granting a pension to William H. Chapman;
A bill (H. R. 7714) granting a pension to Sarah M. Leslie;
A bill (H. R. 8141) granting a pension to Sarah J. Peddycoart;
A bill (H. R. 8207) granting a pension to Joseph Quinn;
A bill (H. R. 8218) granting a pension to Mary E. Lacey;
A bill (H. R. 8254) granting an increase of pension to Marie L. Apgar;
A bill (H. R. 8540) granting a pension to Lydia J. De Silva;
A bill (H. R. 8689) granting an increase of pension to Isaac B. Hoyt;
A bill (H. R. 8735) granting an increase of pension to Annie B. Sharrard;
A bill (H. R. 9010) granting an increase of pension to Charles A. Westfield;
A bill (H. R. 9043) granting an increase of pension to David S. Snyder;
A bill (H. R. 9108) granting a pension to Maria H. Hixon;
A bill (H. R. 9176) granting a pension to Emily Haines Harrison;
A bill (H. R. 9378) granting a pension to Irving Johnson;
A bill (H. R. 9502) granting an increase of pension to Phebe A. La Mott;
A bill (H. R. 9555) granting an increase of pension to Nicholas Briggeman;
A bill (H. R. 9719) granting a pension to Amos W. Felker;
A bill (H. R. 9783) granting an increase of pension to Benjamin F. Dennis;
A bill (H. R. 9839) granting an increase of pension to Emily H. Wood;
A bill (H. R. 10029) granting a pension to Elizabeth Springer;
A bill (H. R. 10062) granting an increase of pension to Harriet Crotsenburg;
A bill (H. R. 10235) granting an increase of pension to George Friend;
A bill (H. R. 10381) granting an increase of pension to Gideon W. T. Ridlon;
A bill (H. R. 10524) granting an increase of pension to Lewis H. Riden;
A bill (H. R. 10607) granting an increase of pension to Nathan Disbrow;
A bill (H. R. 10618) granting an increase of pension to Martin O'Connor;
A bill (H. R. 10742) granting a pension to Wilburn W. Testerman;
A bill (H. R. 10749) granting a pension to Henry L. White;
A bill (H. R. 10750) granting a pension to James H. Rainey;
A bill (H. R. 10758) granting a pension to Sallie B. Wilson;
A bill (H. R. 10761) granting an increase of pension to Oliver H. Cram;
A bill (H. R. 10778) granting an increase of pension to Martin V. B. Winkler;
A bill (H. R. 10815) granting a pension to Lucius K. Smalling;
A bill (H. R. 10834) granting an increase of pension to Michael Dempsey;
A bill (H. R. 10847) granting an increase of pension to Betsey A. Summers;
A bill (H. R. 10856) granting an increase of pension to Sarah A. Robinson;
A bill (H. R. 10872) granting an increase of pension to Caroline Buehler;
A bill (H. R. 10873) granting an increase of pension to Ida J. Peixotte;
A bill (H. R. 10912) granting an increase of pension to John Whitmore;
A bill (H. R. 11010) granting an increase of pension to James H. Eastman; and
A bill (H. R. 11145) granting a pension to William C. Chandler.

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 bill (S. 3598) to amend an act granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2826) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company of the District of Columbia.

The message further announced that the House insists upon its amendments to the bill (S. 2581) to incorporate the National White Cross of America, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MUDD, Mr. SAMUEL W. SMITH, and Mr. SIMS managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mails, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUD, Mr. GARDNER of New Jersey, and Mr. GRIGGS managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

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

A bill (S. 4108) granting an increase of pension to Enos H. Kirk;
A bill (H. R. 6230) for the relief of Robert Smalls; and
A bill (H. R. 11283) to establish Calais, in the State of Maine, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the ports of Eastport and Calais, in the State of Maine.

RELIEF OF SUFFERERS IN INDIA.

Mr. PERKINS. I present a petition signed by the chief justice of the supreme court of California, the president of the Chamber of Commerce, a member of the University of California, the chairman of the committee on organization of the Oakland Peace Society, and many other representative citizens of California, praying that an appropriation be made by Congress of a large sum of money for the relief of the famishing people of India.

I ask that the petition be printed in the RECORD and that it be referred to the Committee on Appropriations, for the reason that I am not in the possession of sufficient data whereby I may prepare a preamble and joint resolution providing that Congress shall make this appropriation.

Some two years ago, February 13, 1897, I think, at the request of the people west of the Missouri River, from the States of California, Oregon, Washington, Nebraska, Kansas, and Iowa, I asked the Government to provide a ship for transporting some three or four thousand tons of breadstuffs that had been contributed by the people of those States to the famishing people of India. The Government transported the provisions free of charge, and the good people of the States named made those donations.

No official acknowledgment of which I have any information has ever been presented to Congress or to the President. Therefore I should hesitate in pressing such a measure at this time, thinking it possible, perhaps, that Great Britain might not look with favor upon our action in sending unsolicited donations to India, as she did not look with favor upon our proffer of friendship as a peace mediator in South Africa.

Mr. HALE. Will the Senator let me right there ask him a question?

Mr. PERKINS. Certainly.

Mr. HALE. I think the world has been horrified, almost stupefied, by the suffering that is now being endured in India, the chief and greatest of England's colonies. The ravage of the pestilence and the famine there is something that appalls the imagination. Whole families are found dead, the babe lying by its dead mother; whole districts are devastated.

Now, the Senator comes in here, as he has a right to do, with a proposition to invoke assistance from the United States for those starving people. That is a worthy and merciful end. But I rose to ask the Senator what the great British Government has done for those people. That Government is spending tens and hundreds of millions of dollars in breaking down and destroying republics. The premier himself in his last speech declared that the last shred of independence must be taken from the South African Republics. It is the most brutal manifesto of tyranny and strength against liberty and weakness that the world has seen.

I am moved, under these conditions, to ask the Senator what England is doing to relieve her own subjects? I do not see in all the meetings and all the demonstrations in Great Britain, which are all in relation to the suppression of the Boer Republic and the other South African Republic, any mention of the terrible sufferings that the subjects of England are enduring in India. Therefore I ask the Senator what he has in the way of information as to what Great Britain is doing when she is spending hundreds of millions of dollars in her war?

Mr. ALDRICH. Mr. President, what is the subject before the Senate?

Mr. PERKINS. I have presented a petition.

Mr. ALDRICH. I raise a question of order. I ask for the regular order, whatever it is.

Mr. PERKINS. I wish to answer the question asked by the Senator from Maine.

Mr. ALDRICH. It is very strange that we can not have a petition presented without two or three political speeches upon it.

Mr. HALE. What does the Senator call a political speech?

Mr. ALDRICH. Of course that is a question of taste between the Senator from Maine and myself, perhaps. He will select what he considers a political speech, and I will determine what I regard as a political speech.

Mr. HALE. It has come to a great pass if a man can not make comments upon a thing of this kind without being charged with making a political speech.

Mr. ALDRICH. It does not seem necessary, I will say to the Senator from Maine, that upon the presentation of a petition and upon every possible subject that is brought before the Senate a pro-Boer or some speech of a similar nature shall be made. I do not think the Senate or the country needs enlightenment to that extent.

Mr. HALE. My remarks were called out by those of the Senator from California who proposed that this Government should intervene for the relief of the sufferers in India. I asked a clear and direct question. I want the Senator from California to answer it.

Mr. PERKINS. There is much force in the question of the Senator from Maine and the argument which he presents. Therefore, realizing the force of his question, instead of asking the Senate to take action upon this measure at this time, I ask that the petition be referred to the Committee on Appropriations, of which he is a member, for their consideration, that the committee may take such action as it may deem expedient and advisable.

In answer to the Senator from Rhode Island, I desire to say that this petition coming here——

The PRESIDENT pro tempore. The Senator from Rhode Island has objected to further debate. Debate is not in order.

Mr. ALDRICH. I have a right to do so under the rule.

The petition was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CAL., *May 31, 1900.*

Hon. GEORGE C. PERKINS, *United States Senator.*

GENTLEMEN: We, the undersigned, realizing the urgent necessity of prompt action on the part of this and other Christian nations in order to avoid the destruction by famine of a large proportion of the inhabitants of India, earnestly request you to introduce in the Senate and House the following bill or such other measure of similar purport as may commend itself to your best judgment:

An act making appropriations to supply the needs of the famine sufferers in India.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of —— millions of dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to supply the needs of the famine sufferers in India, the same to be expended at the discretion of the President, and to remain available until January 1, 1901.

W. H. BEATTY,
Chief Justice Supreme Court of California.
CHARLES NELSON,
The Chamber of Commerce.
EDWARD B. CLAPP,
University of California.
A. A. DENISON,
Chairman of Committee on Organization Oakland Peace Society.
J. G. WRIGHT.
J. G. McGUIRE.
G. W. McNAIR.
H. HUNTINGTON.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York, presented a petition of Eureka Grange, Patrons of Husbandry, of Lyons, N. Y., praying for the enactment of legislation placing a tax upon oleomargarine and all kindred dairy products; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Building Trades Council of New York, remonstrating against the inferior class of workmen employed by the Government at Ellis Island, New York Harbor; the inferior rate of wages paid them; and also against the employment of noncitizens of the United States by the contractors for the work; which was referred to the Committee on Education and Labor.

He also presented petitions of Local Union Brotherhood of Carpenters and Joiners of Schenectady; of the Trades Assembly of Schenectady; of the American Federation of Labor of Jamestown; of the Collar, Shirt, and Waist Cutters' Union No. 6305, of Troy, all in the State of New York; of the International Wood Carvers' Association of America, and of the Journeymen Bakers and Confectioners' International Union, of Cleveland, Ohio, praying for the enactment of legislation limiting the hours of daily service of laborers and workmen employed upon the public works of the United States; which were referred to the Committee on Education and Labor.

Mr. WETMORE presented a petition of the Hancock Relief Corps of Westerly, R. I., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which was referred to the Committee on Military Affairs.

Mr. FOSTER presented a petition of Iron Molders' Union No. 180, of Tacoma, Wash., praying for the election of United States Senators by a direct vote of the people; which was ordered to lie on the table.

Mr. CHANDLER presented a petition of sundry citizens of Trenton, N. J., praying for the enactment of legislation for the prevention of the denial or abridgment of the right of citizens of the United States to vote on account of color; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of the congregation of the Grant Street Chapel, of Berwick; the Woman's Christian Temperance Union of Waynesburg; the Methodist Episcopal Church of Somerset; the congregations of the Free Methodist Church, the African Methodist Episcopal Church, the First Baptist Church, the First Presbyterian Church, and the Methodist Episcopal Church and the Woman's Christian Temperance Union, all of Bradford; the First Presbyterian Church of Mount Carmel; of Colonel John B. Clark Post, No. 152, Grand Army of the Republic, of Allegheny; of the Central Presbyterian Church, of Allegheny; the Woman's Christian Temperance Union of Linwood, and of the Woman's Christian Temperance Union of Bellrun, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which were referred to the Committee on Military Affairs.

He also presented a petition of Local Union No. 626, United Mine Workers, of Desire, Pa., and a petition of Local Union No. 1333, United Mine Workers, of Mahanoy City, Pa., praying for the enactment of legislation limiting the hours of daily service of

laborers and workmen employed upon the public works of the United States; which were referred to the Committee on Education and Labor.

PORT OF WILMINGTON, N. C.

Mr. BUTLER. I present a letter, in the nature of a petition, stating some further facts about the port at Wilmington, N. C.

I call attention to the fact that the Chief of Engineers of the United States Army, Gen. John M. Wilson, states in this letter Wilmington is a better harbor than Charleston. He says that at Charleston low water is 19 feet and high water only 24.3 feet, while at Wilmington low water is 20½ feet and high water 25 feet. It has taken enormous and constant dredging to get that much water at Charleston. Only a few years ago there was only 17 feet of water there.

I call the attention of the Senate to the fact that General Wilson, in this letter, sustains the statements I made a few days ago, when the question of moving the dry dock from Port Royal to Charleston was before the Senate. Senators will see now that they made a great mistake when they limited the investigation of a site for this dry dock to Charleston. I hope something can be done yet to open up this matter.

Inasmuch as that question is not now before the Senate, I ask that this letter be put in the RECORD without reading. Senators can read it in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., May 19, 1900.

SIR: I beg to acknowledge the receipt of your request of the 15th instant, and in reply to furnish the information then desired, as follows:

Port Royal, S. C.—Depth of entrance channel at mean low water, about 19 feet; depth of entrance channel at mean high water, about 25.3 feet. From the entrance to the docks at Port Royal the least channel depth is about 21 feet at mean low water, and about 28 feet at mean high water.

Charleston, S. C.—Depth of entrance channel at mean low water, 19 feet 3 inches; depth of entrance channel at mean high water, 24.3 feet. After passing within the entrance there is a comparatively narrow channel for about 2½ miles, with a least depth of 21 feet at mean low water and 26 feet at mean high water; thence to the city docks, on the eastern water front of Charleston, the channel depth at mean low water is at least 30 feet, and at mean high water, 35 feet.

Congress has entered upon a further project for securing a depth of 26 feet at low water from the ocean to deep water inside Charleston Harbor.

Wilmington, N. C.—From the ocean to good anchorage at Southport, 24 miles below Wilmington, the least low-water depth is 20½ feet, and the least high-water depth is 25 feet. Between Southport and Wilmington the least low-water depth is 18 feet, and the least high-water depth 20½ feet.

The least depth of 18 feet exists on two shoals only, and it is expected that the channel through these shoals will be deepened to 20 feet before the end of the present fiscal year. The least low-water depth will then be 20 feet, and the least high-water depth, 22½ feet.

Savannah, Ga.—The latest information available shows a least depth of 17½ feet at mean low water from Tybee to the wharf at the city of Savannah; mean tides at wharfs, 6½ feet.

Very respectfully, your obedient servant,

JOHN M. WILSON,
Brigadier-General, Chief of Engineers, United States Army.

Hon. JOHN D. BELLAMY,
United States House of Representatives.

JOINT TRAFFIC ASSOCIATION AGREEMENT.

Mr. CULLOM. I ask to have printed the usual number of a document which I hold in my hand, being a hearing before the Committee on Interstate Commerce of the United States Senate in relation to the agreement of the Joint Traffic Association. It is the only copy left, and it is sought after by many persons.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

REPORT OF PHILIPPINE COMMISSION.

Mr. PLATT of New York. I am directed by the Committee on Printing to ask for the present consideration of the concurrent resolution reported from that committee on the 21st ultimo. It went on the Calendar on account of an objection.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. HOAR. I desire to ask my friend from New York a question. What does the phrase "the remaining volumes" signify?

Mr. PLATT of New York. This is one volume.

Mr. HOAR. Already printed?

Mr. PLATT of New York. One is printed and one will be ready after the adjournment. The concurrent resolution was submitted by the colleague of the Senator.

Mr. HOAR. It would be better to say second and third volume, but I will not interpose.

The PRESIDENT pro tempore. The concurrent resolution was reported from the Committee on Printing with amendments, which will be stated.

The amendments of the committee were:

On line 4 strike out all after the word "bound" down to and including the word "Representatives," on line 6.

On line 7 strike out the words "that, in addition thereto, there be printed."

On line 12, after the word "and," insert "500 copies of the second and subsequent volumes, to be bound in brown cloth, uniform with the first volume, for distribution by the Department of State."

On line 16, after the word "morocco," add "*Provided*, That the printing and binding of the report of the Philippine Commission under the concurrent resolution of February 23, 1900, shall not include this supplement."

So as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That of each of the remaining volumes of the Philippine Commission's report there shall be printed and bound 1,500 copies of each for the use of the Philippine Commission;

That, for the special use of the Department of State, there be printed of the full report 200 copies on 70-pound paper and bound in half morocco; and 500 copies of the second and subsequent volumes, to be bound in brown cloth, uniform with the first volume, for distribution by the Department of State;

That of the supplement to the commission's report there be printed, for the use of the Department of State, 1,500 copies in royal octavo and bound in half morocco: *Provided*, That the printing and binding of the Report of the Philippine Commission under the concurrent resolution of February 23, 1900, shall not include this supplement.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 9, 50, 51, 52, 53, and 58 to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have been unable to agree.

EUGENE HALE,
GEORGE C. PERKINS,
B. R. TILLMAN,
Managers on the part of the Senate.
GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. HALE. I move the adoption of the report, and that the Senate insist upon its amendments, and disagree to the amendments thereto of the House of Representatives, and ask for a further conference, the conferees to be appointed by the Chair.

I may state here for the benefit of the Senate that in this controversy the first conference had to deal with all the Senate amendments and cut down the items disagreed to to the three propositions, the surveys, the course of study for the cadets, and armor plate. When that conference report was presented to the House the House amended the Senate proposition, which was $445 per ton or an armor-plant proposition, by substituting for it the following——

Mr. PLATT of Connecticut. In the House?

Mr. HALE. In the House.

That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of $4,000,000 is hereby appropriated toward the erection of said factory.

Now, in the conference, the report of which I have just presented, the conferees found themselves at a deadlock. The Senate conferees insisted upon the proposition of the Senate, $445 a ton or an armor-plate manufactory, which was made mandatory, directing the Secretary of the Navy, if he could not get the contract at $445, to go on at once, and giving him, to start it, $2,000,000 for the Government armor plant. The House antagonized that with a proposition which left it all discretionary with the Secretary of the Navy, leaving the contract discretionary with him, and even if he should fail, leaving the building of the armor plant discretionary with him.

The Senate conferees felt that the proposition was so distinctively opposed in every respect to what the Senate, after full discussion and debate, had adopted that we could not agree to their proposition. We found the House conferees equally firm. They would not agree to the proposition of $445 a ton or an armor plant. The other subjects-matter were not agreed to; we could not come to a point of agreement upon them, but they did not consume the time of the committee as the other did. I want Senators to understand that the whole subject is hung up now in this way, that the House wants the whole matter left discretionary with the Secretary of the Navy.

Mr. PLATT of Connecticut. Will the Senator permit me?

Mr. HALE. I shall be very glad to answer any question.

Mr. PLATT of Connecticut. Will the Senator read the last clause of the amendment or instruction of the House to its conferees with regard to the Secretary of the Navy establishing an armor plant?

Mr. HALE. The House did not give instructions upon this item. The House amended it. But upon another item—the surveys—the House went further than it usually does, to a point that, I think, has not been done in the Senate, and not only rejected the Senate proposition, but directed its conferees to insist. We do not do that in the Senate, because it is plain that that prevents having a fair conference. The instructions did not apply to this amendment.

Mr. TELLER. To what amendment did they apply it?

Mr. HALE. To surveys.

Mr. PLATT of Connecticut. The point I was trying to get at is whether under the House plan the building of an armor plant is left discretionary with the Secretary of the Navy. I wanted to hear the language.

Mr. HALE. I will read that clause again.

But in case he—

The Secretary—

is unable to make contracts for armor under the above conditions, he is hereby authorized, in his discretion, to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of $4,000,000 is hereby appropriated toward the erection of said factory.

Mr. CHANDLER. What is the status of that clause? Did the House attempt to put it in the bill?

Mr. HALE. The Senate put in its clause at $445 or an armor plant. The House amended it on the floor by striking out the $445 proposition or an armor plant and substituting for it what I have just read.

Mr. CHANDLER. They accepted the Senate amendment with an amendment of their own?

Mr. HALE. With an amendment of their own; and therefore I have moved that the Senate not only insist on its amendments, but disagree to the amendments of the House thereto, in order that a new conference may be had.

Mr. PLATT of Connecticut. Would it make any difference in the minds of the Senate conferees if that amendment of the House were changed so as to make it mandatory upon the Secretary of the Navy to establish the armor plant if he could not get the contracts upon terms which he thought just and equitable?

Mr. HALE. I can not say; nobody can say. The matter is hung up, and is to be submitted to a future conference. I can not say how, in a future conference, that might strike the Senate conferees. It would, in my judgment, be a better amendment with that provision in than it is now.

Mr. BUTLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from North Carolina?

Mr. HALE. I yield to the Senator.

Mr. BUTLER. If the Senator will pardon me, I should like to say in connection with the suggestion made by the Senator from Connecticut that I trust the conferees will not agree to such an amendment of the House provision, because I should feel myself constrained to antagonize it just as vigorously as in its present shape, for it would be in effect the same thing.

Mr. TILLMAN. There is no difference.

Mr. BUTLER. The difficulty in the House proposition is in the first part of their amendment and not in the last part. It is in that part which leaves the discretion open and unrestricted to the Secretary of the Navy. It makes no difference who is Secretary of the Navy, that is improper legislation, in my judgment. It is a bad precedent. Then, we should not abdicate our functions and turn them over to any official, if he was perfection itself.

Mr. HALE. Let me tell the Senator that the Senate conferees took that ground.

Mr. BUTLER. I understood the Senator from Maine to say that that would be an improvement.

Mr. HALE. I think it would.

Mr. BUTLER. Why so?

Mr. HALE. Because I think that then there would be the same feature in it that there is in our bill, the manufacturers knowing that if they did not submit a reasonable proposition the armor plant would be built. As it stands now, there is no obligation to build the armor plant at all.

Mr. TILLMAN. What is a reasonable proposition, if I may ask?

Mr. HALE. I will not argue the subject.

Mr. BUTLER. When Congress will not say itself what is a reasonable price, when Congress itself abdicates its functions, the Secretary of the Navy will do what we all know he will do. He will simply say, "I will pay what they ask." That is what every Government official has done when Congress abdicated and did not have the courage to say itself what ought to be paid. They take the view that Congress has simply surrendered and tells them to get the armor, and they will proceed to get it and will pay whatever is asked.

Mr. President, it is childish. I hope Congress will not be put in that position; and I for one will not agree that it ever shall be put in that position.

Now, one word further, if the Senator will pardon me, while I am on the floor.

Mr. HALE. I do not object to this discussion; in fact, I rather invite it.

Mr. TELLER. Mr. President——

Mr. BUTLER. If the Senator from Colorado will allow me to finish my statement, I will then yield to him.

Mr. President, one word further. I trust that this conference between the two Houses will not be drawn out indefinitely and have this conference report brought in just on the eve of final adjournment.

Mr. HALE. Let me ask the Senator a question. He says he trusts this conference will not be drawn out. Now, what force is there anywhere that will prevent this being drawn out if one side or the other does not yield? Here the Senate conferees in this matter have stood squarely on the Senate proposition and have declined any arrangement, and the House conferees did the same. Supposing this conference——

Mr. TILLMAN. Mr. President——

Mr. BUTLER. Will the Senator from South Carolina let me finish my statement?

Mr. HALE. How can you prevent the conference being drawn out?

Mr. BUTLER. I will explain just what I meant, and I was going to proceed to do it. In my opinion, if the House conferees understood that we were in earnest, that we had already gone too far, and that we were not going any further, this thing would soon be settled, because the proposition in the Senate amendment is outrageously high, and nothing but excessive greed would keep the companies from being satisfied with it. The profit is bigger than any legitimate business could ask under any conditions.

Mr. President, there is no one in this Senate more anxious than I am, for reasons I shall not state, for an early adjournment of Congress; but unless the day is fixed to adjourn, we can not adjourn soon with this House amendment brought to us in this bill.

Mr. HALE. I want to ask the Senator another question. He says if the House conferees thought the Senate was in earnest, the matter would soon be settled. We debated this proposition longer than any proposition that I have ever known, in my experience, debated on the naval appropriation bill; and the Senate adopted, not by a large majority, but adopted it as against the other proposition, which was lower.

Mr. TILLMAN. Therefore, if the Senator will permit me, the situation is this: A majority of the body are in favor of the Senate amendment, and the rest of the Senate are in favor of $300 and an armor plant. Therefore, you might say that the entire Senate is either for this amendment or something better or lower down, and that the House can not expect such a condition as that to be overridden by a majority of 10 on that side, for that is all they had on the last vote. So if we will adhere now with instructions to the Senate conferees as to what we intend to do, the House will have to recede. That is all there is about it, and there are enough men over there who will yield.

Mr. PLATT of Connecticut. Will the Senator from Maine allow me?

Mr. HALE. I yield to the Senator.

Mr. PLATT of Connecticut. I do not propose to discuss this question, as it has been heretofore before the Senate—that is, on the merits of it—but I realize the fact that when the Senate and the House come to a deadlock on a proposition, neither party can have their way entirely; that is to say, if any legislation is to be accomplished, there must be a compromise. I do not speak for anybody but myself.

I have had no consultation with anyone, but for myself I would be content to agree to the present proposition of the House, so amended that in case the Secretary of the Navy could not obtain the armor at prices which to him seemed just and reasonable, he should be compelled to start an armor plant. I want to say with regard to that matter, that I believe the Senate and the country can trust the Secretary of the Navy. He, of course, is conversant with all of these debates; he has seen that the utmost limit to which the Senate is willing to go is $445 a ton for armor, and that that was only by a narrow majority, while a minority almost equal to the votes of the majority thought the price should be $300 a ton and that an armor plant should be built anyway. I am satisfied that neither the present Secretary of the Navy nor any other Secretary of the Navy would, under these circumstances, ever consent to purchase armor plate at more than $445 a ton, and that he would get it at a less price if he could.

I do not quite like the statement made, that if this provision is passed, the Secretary of the Navy will give just what the manufacturers of armor plate may ask. I feel very sure——

Mr. BUTLER. Will the Senator from Connecticut allow me?

Mr. PLATT of Connecticut. Let me finish the sentence.

I feel very sure and very confident that the Secretary of the Navy would never pay more than the amount which has been put into the Senate bill by amendment.

It seems to me that this is a way out of the dilemma and that under it the Government will never be compelled to pay any more than the amount which the Senate by a majority put into the bill.

Mr. BUTLER. The Senator from Connecticut has no higher regard for the personal integrity of the Secretary of the Navy than I have; but the very fact that the other House is stubbornly refusing to agree to limit the price of armor to $445 a ton disproves the Senator's statement, because the very forces and influences that make them stand out for not agreeing to that limit will mean that we will not get armor plate at $445 a ton unless we limit it to that amount.

Mr. PLATT of Connecticut. If the Senator from North Carolina were Secretary of the Navy, or if I were, or if any other member of this Senate were, and the bill were left in the shape in which it is proposed to be left by the House, amended as I have suggested, neither he nor I nor any other member of the Senate would

ever think of contracting at a higher rate than $445 a ton. I may be mistaken, Mr. President, in my confidence——

Mr. BUTLER. If the House thought that way with the Senator, then the House would agree to the Senate amendment.

Mr. CHANDLER. Will the Senator from Connecticut allow me to say a word?

Mr. PLATT of Connecticut. I will; but I want to say a few more words myself.

Mr. CHANDLER. It is upon this precise point.

Mr. PLATT of Connecticut. Very well.

Mr. CHANDLER. I only want to call the attention of the Senator to the fact—not to make an argument—that the combined armor-plate factories insisted upon $545 a ton for the armor for the *Kearsarge* and the *Kentucky*, and compelled the Secretary of the Navy to give it. So in every case, where the Secretary has made a contract without being limited by Congress, he has given exactly the price which the combined manufacturers have demanded, and there was no competition.

Mr. BUTLER. Exactly.

Mr. PLATT of Connecticut. I want to say this, and that is all: I do not put my confidence solely upon my understanding of the character of the present Secretary of the Navy; but if the Administration should be entirely reversed next November, and any other man should be appointed to the position of Secretary of the Navy, I can not for a moment believe, and I do not for a moment believe, that any Secretary of the Navy would contract for armor plate at a sum exceeding $445 a ton.

Mr. TELLER. Mr. President, the vice of the House amendment is this: In the first place, we give to the Secretary of the Navy entire discretion as to what he shall pay for armor plate. Then we say to him, "If you think you have paid too much for it, you may build an armor plant."

Mr. PLATT of Connecticut. I beg the Senator's pardon. We say to him, "If you can not get it at a sum which you think just and reasonable, then you can build an armor plant."

Mr. TELLER. We leave it to him to say what is just and reasonable. Just and reasonable why and how? Under an arbitrary direction we have given him to buy this armor plate. That is what we have told him to do; and he has got to do that, and that is the condition under which he buys it.

The suggestion by the Senator from Connecticut, that is, if you could amend the last clause and provide that it should be in his discretion, would absolutely amount to nothing at all. Instead of being in his discretion, it should be made imperative on him, provided he can not get the plate at what he thinks he ought to get it for; but, under the circumstances, when he has bought it, he will think he ought to have paid that for it; and that is all there is of it.

As suggested by the Senator from North Carolina, if the House committee believed that we would get this armor plate at a fair price and that this company would take a fair price for it, they would not be so tenacious about their amendment.

I want to make a prediction, Mr. President. We declared by this Senate unanimously that these armor-plate companies were robbing the Government, and every Senator who got up here and made a speech on it so declared. Every vote that was given was with the intent to prevent them from robbing the Government further. Nearly one-half of the Senate was in favor of limiting the price to a figure very much below what a slight majority favored, but the sentiment of the Senate, taking both sides, those who favored $300 a ton for armor plate and those who were willing to go up to $540, or whatever it might be, all said this: I predict that we shall back out, that we shall give to these armor-plate factories just exactly what they demand, nor will we provide for an armor plant.

This bill came here from the House of Representatives with certain provisions in it that were objectionable, but not so objectionable as the feature which is now thrust upon us. They were nothing like so objectionable as this proposition which comes to us from the House, which is an absolute surrender to this combine.

I want the Senator who has this bill in charge to take the vote of the Senate on the conference report; and if he does not, I am going to call for a vote. I want to know whether the Senate is going to back out or not.

Mr. HALE. Mr. President, that is precisely what I want to know. I make a report in which the Senate conferees stand squarely against any amendment of the Senate proposition. I want the Senate by a vote to back up and accept the report. That is all we can do.

Mr. TELLER. That is what I want the Senate to do.

Mr. HALE. And I have no doubt the Senate will do that.

Mr. TELLER. I want them to do that so as to strengthen the hands of the committee. I do not want this conference report to go in the way suggested by the Senator from Connecticut. I would rather it came here as it came originally from the House of Representatives when it was not as objectionable in its features as it is now. So I hope the proposition will be put to a yea-and-nay vote, and let us decide whether we are willing to surrender to this combine or whether we are willing to fight it.

So far as I am concerned, before I would surrender to them I would not put a single pound of armor plate on a ship. I do not know but that we may be involved in a war with some nation, though I do not think there is any danger of it. At all events, I would not be a party to having any combine in this country take the Government of the United States by the throat in a matter of this kind. I would infinitely prefer that the ships would rot on their stocks than that we should do that; and so would the American people. The time has been reached, Mr. President, when at least these combines should not be able to take the Government by the throat, even if they take the people by the throat.

Mr. CHANDLER. Mr. President, before saying a few words on this question, I should like to ascertain, if the Senator from Maine will give me his attention, whether there is any way in which the Senate can get the bill back into this body and reduce the number of ships? We authorized 2 battle ships, 3 armored cruisers, and 3 protected cruisers. There are 8 ships, which will cost forty or fifty million dollars. Is there any parliamentary way in which the Senate can get control of the bill and limit the number of ships to be built? Could we reconsider the vote by which the bill was passed?

Mr. HALE. No; I do not know how that can be done. That is a subject which has been passed and which has been agreed to by both Houses.

Mr. CHANDLER. But it seems to me there ought to be some way, if, in the progress of conferences between the two Houses, either House wishes to take back some portion of what it has done, that it may do that thing.

Mr. FORAKER. I see the Senator from New Hampshire is bold enough to make an inquiry, which encourages me to make one that I had in mind. I do not wish to see this bill back in the Senate in order that we may reduce the number of ships, but I should like to see it back here, if there is any parliamentary way by which it can be brought back, so that we may reduce the price of armor plate from $445 a ton to $400 a ton. I voted against fixing the price at $400 a ton because I wanted to follow the judgment of the committee and support the committee, but I did so against my own judgment.

I shall be glad, in view of what has occurred, if we can have a chance to undo the proposition to pay $445 a ton, if that will be accepted, and to put it at $400 a ton, which, according to the judgment of everybody, it seems to me is enough for us to pay; and if we can not get the armor plate for that sum, then build an armor-plate factory.

Mr. CHANDLER. Mr. President——

Mr. HALE. Will the Senator from New Hampshire allow me to answer the question of the Senator from Ohio?

Mr. CHANDLER. Certainly.

Mr. HALE. That is a subject that is unlike the building of the ships, which has been agreed to by both Houses; it is still in the discretion of the Senate, but not upon this conference report unless it is voted down. But if at any time any proposition of agreement between the conferees is presented, either fixing the rate at which the contracts shall be made or leaving it in the discretion of the Secretary of the Navy, then that proposition can be amended by the Senate, just as the House has amended our proposition by putting in this clause.

So I can say to the Senator from Ohio that all the discretion that is needed and all that is required is left in this subject-matter to the Senate finally.

Mr. FORAKER. I want to say now that at the proper time, if it become necessary, that proposition will be made; and I can say also, if it is worth anything to the conferees on behalf of the Senate, that quite a number of Senators who voted for $445 a ton will change their votes and vote for $400 a ton as the maximum, and, in the event of that not being accepted, then to peremptorily command the building of an armor-plate factory by the Government.

Mr. HALE. I am glad the Senator from Ohio has stated his proposition. My object in this matter was to elicit discussion, in order to get at the views of Senators, because the conferees want to represent the body so far as they can; and the discussion throws light upon the present feeling of the Senate.

Mr. CHANDLER. Mr. President——

Mr. BUTLER. Will the chairman of the committee allow me to ask him a question before he yields the floor?

Mr. HALE. The Senator from New Hampshire [Mr. CHANDLER] has the floor.

Mr. CHANDLER. I will yield to the Senator for a question.

Mr. BUTLER. I will ask the Senator, or rather I will ask the Chair, would it not be in order now, in view of the statement just made by the Senator from Ohio [Mr. FORAKER], for himself and others, that a clear majority of the Senate right now is in favor of reducing the price of armor to $400 a ton—and there was only 2 majority before in fixing the price at $445 instead of $400 a

ton—would it not be in order now to amend the Senate amendment and reduce the amount from $445 to $400, and let the conferees go back with that instruction from the Senate?

Mr. HALE. I do not think that is in order now, because the committee reports a complete disagreement. It is not proposed to change or amend at all, but that we disagree on the whole subject-matter.

Mr. BUTLER. I want our conferees to go back with instructions for $400 a ton instead of $445. Therefore, I move to reconsider the vote by which the Senate passed this bill and put in the item of $445, and that it be reduced to $400.

Mr. HALE. The Senator can not do that.

Mr. BUTLER. Is it in order to move a reconsideration of the action of the Senate?

Mr. HALE. It was passed ten days ago, and has been in conference since that time.

Mr. BUTLER. Then what is the parliamentary status? In what way can it be reached? Can the conferees themselves reach it?

Mr. HALE. I have just said to the Senator from Ohio that this is a report of an absolute disagreement. We do not agree at all to the House amendment, and they do not agree to our proposition. It is a square, plump clash, a deadlock between the two Houses on this proposition, and, unless the Senate votes down and refuses to accept the conference report, nothing further can be done except to go into another conference.

Mr. BUTLER. Now, let me ask the Senator, suppose the Senate votes down the conference report, then would my motion be in order?

Mr. HALE. It would not be in order for the Senator to move to reconsider the bill.

Mr. BUTLER. Well, when we vote down the conference report, how do we improve the parliamentary status, then?

Mr. CHANDLER. Mr. President, I think I will resume now, if the Senator will permit me.

Mr. HALE. The Senator from New Hampshire has the floor.

Mr. BUTLER. But the Senator has not informed me how we can reach this matter.

Mr. HALE. The Senate can not reach it now, but if a proposition should come in at any future time for adjusting this upon any basis, then the subject-matter will be entirely in the control of the Senate so far as it is concerned. It can change the $445 to $400 or $425, or put it up to $455, or can make it discretionary with the Secretary of the Navy.

Mr. BUTLER. When can the Senate do that?

Mr. HALE. When any proposition of that kind comes in.

Mr. BUTLER. Comes in from where?

Mr. HALE. From the conference committee.

Mr. BUTLER. Is not the conference report here now?

Mr. HALE. The conference report is that we disagree absolutely. That includes everything.

Mr. CHANDLER. There is nothing for the Senate to do except to agree or to disagree.

Mr. BUTLER. Well, what kind of a conference report would have to be made?

Mr. HALE. When the conference committee agree upon something and present it, that is an agreement. Then the whole thing will be in the hands of the Senate.

Mr. GALLINGER. If my colleague will permit me, does the Senator hold that when a conference report comes here upon agreement the Senate can amend it on motion?

Mr. HALE. I think so.

Mr. GALLINGER. I think it is palpable that that can not be done. The only vote we can take is on agreeing or disagreeing to the report.

Mr. HALE. Of course, that is a preliminary. For instance, if the conferees brought in a proposition of discretion and the Senate was against it, they could vote down the report.

Mr. GALLINGER. Then the matter would go back to conference.

Mr. HALE. Yes; it would go back to conference.

Mr. LODGE. Could not the Senate amend or disagree, with instructions to its conferees?

Mr. HALE. That is the same thing. It is in the power of the Senate.

Mr. HOAR. I should like to say one word.

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Massachusetts?

Mr. CHANDLER. I yield.

Mr. HOAR. I should like to say a word on the parliamentary question. Practically the only way, when there is really a serious disagreement between the two Houses, is to disagree and send the matter back to a new conference. It is in order undoubtedly to instruct your conferees in the new conference——

Mr. GALLINGER. But that does not amend the bill.

Mr. HOAR. That, of course, does not amend the bill. Such an instruction is almost never desirable, because it is to that extent a limitation of the freedom of the conferees. It is very apt to make the other House, with whom you are conferring, persist in their position also and give instructions on their side if they really differ. Of course you can instruct the conferees to yield to the other side; that is a different thing; but practically we have always found that our way of working out these disagreements and getting, so far as we could, what we want is to let the conferees go back uninstructed and to let them get at the true sense of their body by debate and expressions of Senators, just as the Senator from Ohio [Mr. FORAKER] a few moments ago said to the Senate that in his judgment the Senate would come to a certain opinion in the future different from that which has been exhibited by its past vote. That is a very significant and important and valuable statement, which will be read and understood by the House conferees, and it will have much more effect in bringing about a concurrence than it would if we should vote to adhere or vote to instruct, which is almost as bad.

Mr. CHANDLER. Mr. President, this discussion has grown out of the inquiry I made as to whether there was any way by which the Senate could get possession of this bill and reconsider its passage. I believe there is such a way. It may be that a motion to reconsider would be late; but we passed the bill with certain Senate amendments. Why can not we reconsider? The bill is here in the Senate, in the possession of the Senate, and we can reconsider, in my judgment. There ought to be a way in which the Senate can say, "We are sorry we passed that bill. We want to reconsider it, and try it again."

Now, Mr. President, the reason I wanted to be informed on that point is this: The Senator from Maine [Mr. HALE] very well knows that this bill never would have passed the Senate with provision for two great battle ships, three armored cruisers, and three protected cruisers, costing forty or fifty million dollars, if it had been supposed that by any possibility a provision would be inserted in the bill giving the Secretary of the Navy unlimited power to buy and fix the price of armor. It is now proposed by this House amendment that he may pay $550 a ton for armor plate; he may pay $600 or $700. He is absolutely at the mercy of the armor-plate combine, unless he decides not to build the ships, but to go on and build an armor-plate factory, which, according to the prediction of the Senator from Iowa [Mr. ALLISON], will not give us an armor plate in four years.

Mr. President, what I wanted to get at was this: Whether there is any possibility that the Senate can recede from its decision to adopt this great naval programme for armored vessels, because I am alarmed at the proposition which the House of Representatives made, that at the end of four or five years' investigation and discussion we are to end it all, quit the controversy with the armor-plate people, and the differences of opinion between the two Houses, and say to the Secretary of the Navy, "We end it all here now; pay just what you choose; and when you have decided what you will choose to pay, if you can not get the armor for that sum, then do not build these ships; take the responsibility as one man of stopping this whole naval programme of national armament, and go to work and build an armor factory." It would be the most foolish and the most preposterous thing that could be conceived of for us to do that thing.

The foundation principle of the course of the Committee on Appropriations is to make specific appropriations; to know what they are doing when they authorize the expenditure of the Government's money. Undoubtedly, if anything can be bought in open market by advertisement and competition, you can wisely give the head of a Department unlimited authority to procure the article, to get the service, to get the work done; but Congress has been confronted these half dozen years by a condition of things showing that there was no competition whatever, and we have been obliged at every step in the business to pay exactly what the combined armor manufacturers of the United States and of Europe demand.

I say, Mr. President, that if there is any danger of committing this discretion to the Secretary of the Navy, there ought to be some way to get the bill back into the Senate and reduce the number of ships, if not to decide that there shall be no additional ships authorized by this bill, but that the Secretary of the Navy shall go on and at any price the combine will give him put the armor upon the ships already built and which need the armor, and then stop until Congress can find out what is the price of armor, as it has been trying to find out all these years.

Mr. TILLMAN. I call the attention of the Senator from New Hampshire, if he will permit me, to the fact that the ships provided in this bill, which he is now seeking to get back in order to cut them out, are nothing like so much as are those already authorized in previous bills and held up. We have 5 other battle ships authorized and 3 armored cruisers and 3 battle ships now on the stocks to provide armor for, besides the 8 in this bill.

Mr. CHANDLER. I understand that very well; and the Government will submit to this extortion as to the ships we have already authorized if the House of Representatives, the members of which——

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

Mr. CHANDLER. In one moment. It will submit to it if the House, the members of which are to go before their constituents for reelection or defeat in November, insist upon it. We might submit to the extortion as to the ships already authorized, but we do not want to authorize eight more ships.

Mr. SCOTT. I wanted to ask the Senator from New Hampshire how he knows that this is an extortion. I want to know whether or not he is an expert on the cost of manufacturing armor plate.

Mr. CHANDLER. Mr. President, thoroughly expert. I have studied this subject for six years, and the Senator from West Virginia has not studied it for five minutes.

Mr. SCOTT. Twenty-eight years. I want to say to the Senator from New Hampshire that I grew up in a manufacturing city; that I am interested in a number of steel plants and different manufacturing concerns, and I think I know more in a day about manufacturing than he ever knew in his life.

Mr. CHANDLER. The Senator from West Virginia manufactures glass. That is his business, and I do not know but that we had better armor the ships with glass——

Mr. SCOTT. That would be good.

Mr. CHANDLER. If we can get it from his establishment in West Virginia. It would be a most unwise and injudicious and unseemingly thing for us in Congress to put this responsibility upon the Secretary of the Navy. All the naval officers about him want him to pay the largest sum. I have had occasion to say hitherto that the naval officers are not economical. They have no idea of how money is raised by taxation, and they will always advise him to pay the largest sum.

The Secretary of the Navy is an ambitious man. He may in time reach higher honors than those to which he has already attained, and by the aid of New England I hope he may go on to higher honors than those of the Secretary of the Navy. Do we want to single him out and say to him, "Stop the building of these ships unless you can get armor for what you think is a fair price," when the Congress of the United States is too cowardly to fix the price?

We ought not to do anything of the kind. The Secretary of the Navy will not take the responsibility of arresting the construction of these ships. He will submit. He will not take the responsibility of waiting one, two, three, or four years, whatever the time may be, until the armor can be manufactured at a Government factory. He will build the ships, and this contest against the combined monopoly of these great establishments will come to an end. If it does so come to an end, I shall certainly wash my hands of the subject and hereafter take lessons from the Senator from West Virginia.

Mr. LODGE. Mr. President, it seems to me that the matter would be simplified if we discussed simply what we can do. The object of a conference of course is to bring the two Houses together. A bill that has once gone into conference is no longer in the possession of either House. It is in the possession of both Houses. On the proposition of the authorization of ships, the minds of the Houses have met, and it has passed beyond the control of either House. One House can not touch a proposition that the two Houses have agreed on. We can deal only with the proposition in regard to armor plate. That is open. There has been an absolute disagreement on that. On that we can either recede and accept the House proposition, or we can insist on our disagreement and have a further conference, or we can vote to adhere and lose the bill if the other House also votes to adhere; but we can not bring into it a proposition to amend other parts of the bill on which the House have already agreed. Nothing is open but the matters in disagreement between the Houses.

Now, this armor-plate business to me is simply a question as to how we shall get the ships. That is the main thing—get the ships. I am ready to stand for the building of an armor plant absolutely, if the authority is given while it is going on to buy armor at a proper price and build the ships. I believe the figures suggested by the Senator from Ohio would absolutely stop the building of ships. I think at $445 we could go on, but if we simply provide for the building of an armor plant and give no authority to buy armor, it means to stop the construction of the Navy. I hope, Mr. President, that we shall take the natural course. The conferees who represent the views of the Senate have made this disagreement. They are prepared to go in and still further press our views, and they know what the views of the Senate are. As I say, I hope we will take the natural course and insist on our disagreement, and send the conferees back to try to reach an agreement with the other House.

Mr. President, I rose also to ask the Senator from Maine a question in regard to another point in disagreement. I want to know what has been done in regard to surveys, and I shall be very much obliged if the Senator will tell me just where we are on that proposition.

Mr. HALE. I am glad the Senator has asked me that question, because that ought to be before the Senate. Perhaps the great importance of the armor question has submerged this subject. The Navy Department, under its most excellently managed Hydrographic Office, is doing surveys in the ocean and to a limited extent on the lakes, although mostly done there by the War Department, and about the Philippines and about Cuba, because it has ships, it has trained officers, it can make charts and maps, and can do the work well. The Senate gave it a hundred thousand dollars, with authority to go on and continue the surveys which the Department is now making. The House originally cut it down to $10,000.

In its action upon the last conference report the House cut down the jurisdiction of this survey by limiting the kind of work it should do—by limiting it geographically—and gave it only $20,000. The Senate conferees could not agree to that. The House conferees would submit no proposition of amendment, but the vote in the House was square and direct upon it. Therefore on this matter the conferees are again at deadlock, and it is for the reason applying to this and applying to the armor-plate matter and the other subjects of dispute that the conference committee has reported—I made the report this morning—an actual disagreement. The Senate conferees do not believe in yielding on this matter; and that is included in the report. On all the subjects-matter, I will say to the Senator, as I have said about armor plate, we may controvert and we may discuss—and it is a good thing to do, and I have invited this discussion because I want to get at the minds of Senators—but in the end one side or the other has to yield something or the bill will fail. I am not prepared to yield. I think the Senate proposition is just and fair, both on surveys and on armor plate. We find the House in like condition.

Now, what will come out of it on the matter of surveys I can not tell the Senator. I only know that at present the Senate is not inclined to yield, and I am not at all inclined to yield. I do not want to see that service crippled.

Mr. LODGE. I am very much obliged to the Senator for his statement in regard to the surveys. I think nothing more mischievous could possibly be done than that which is proposed by the House amendment. As I understand, it did not come from their Naval Committee. It is part of the bad practice which was discussed here the other day in regard to surveys. It is an attempt to take from the Navy its hydrographic surveys and throw them into the Coast Survey, building up another great department with, as the Senator from New Hampshire said, another little navy. I have had a great many letters from large shipping firms, expressing great dissatisfaction with the Coast Survey maps, and urging in the strongest terms the importance of the hydrographic surveys. There is no economy in increasing the appropriation to the Coast Survey and building that up and trying to break down the naval service. The Navy is going on. We have the officers there under our pay. You make no reduction. You simply pour more money into one of these multifold surveys which the Government is carrying forward.

It would be a great injury to navigation, in my judgment, to break down the Hydrographic Office; and I am delighted to hear that the conferees on the part of the Senate propose to stand with absolute firmness on that point, for I believe that is the judgment of the Senate, and I believe it is sound judgment in the way of administration and in the way of getting the best results.

Mr. SCOTT. Mr. President, I will detain the Senate but a moment. In this discussion a number of Senators have taken occasion to say that the price charged for armor plate is exorbitant, that it is robbery, etc. I do not believe that a manufacturer of armor plate to-day could himself tell what it is going to cost him. They may press one, and it may break down. They may get one good plate, and then they get twenty bad ones that have to be remelted. I am only saying that the manufacturers themselves are unable to determine definitely the cost of the plate. The crane that lifts the immense plates may break. When gentlemen assert here that it is robbery and extortion, practically, I say that such language should not be used against those manufacturers, because I am satisfied that the cost of armor plate is greater than a great many of the Senators have any idea.

The gentlemen who make armor plates and prepare them for the Navy have but one customer. When they make tool steel, for which, as I said the other day, we pay $851 a ton—and you are talking about robbery in paying $445 for armor plate—they can sell the tool steel to hundreds and thousands of consumers all over the country. I desired simply to offer these few suggestions in defense of these much-abused, as I believe, manufacturers of armor plate. They are not so black as they are painted.

Mr. TILLMAN. Mr. President, the Senator from West Virginia has evidently paid no attention whatever to the investigation before the Committee on Naval Affairs. He has not read either the fraud report by the Naval Committee of the House, in which investigation employees of the Carnegie Company testified that they had put on the Government fraudulent armor, armor with blowholes in it, armor that had not been tempered, and a great many other things which were dishonorable and dishonest.

Mr. SCOTT. I will say to the Senator that I have read that.

Mr. TILLMAN. Then how can the Senator get up here and

undertake to say that other Senators are not justified in saying that these people are unscrupulous and that they have robbed the Government? He has a right to his opinion, but so have we; and those of us who have investigated this matter, and have been doing it for five years on the Naval Committee, and have had the matter satisfactorily proven to our minds are at least entitled to our opinion. If we see proper to get up here and use those strong words, I do not think we ought to be called to account for it. But of course the Senator from West Virginia is exercising his right to express his opinion, and we will do the same thing.

Mr. HANNA rose.

Mr. TILLMAN. I will yield to the Senator from Ohio.

Mr. HANNA. I thought the Senator from South Carolina was through.

Mr. TILLMAN. I will yield.

Mr. HANNA. I do not want the Senator to yield. I thought he had concluded.

Mr. TILLMAN. As has been pointed out this morning, the Senate is practically unanimous on the proposition of $445 or less. A majority of 2 voted for $445 or an armor-plate factory. All the remainder of the Senate voted for $300 and an armor-plate factory. This bill can fail if the House is obdurate. If it is so set in its affection for this trust, so subservient to it that there can be no loosening of the grasp that it has on that end of the Capitol, we can let the naval appropriation bill fail, or we can strike out all these provisions—the Senate amendment and everything else—and agree to the bill just as it came from the House. I for one would rather see the bill fail than to have us go before the country this year acknowledging that the United States, a great and powerful nation as it is, stands and submits to robbery and extortion.

The chairman of the Naval Affairs Committee said, "They put the knife in us when they got us in their power." There is no man on this floor, except the Senator from West Virginia, who pretends to defend this combine. That is the situation; and, as I said, I would rather see the bill fail entirely and have no ships built at all, and let the blame fall on the House of Representatives, who stand there bolstering up and voting for a continuation of this monopoly and its unholy and unrighteous robbery of the people.

Mr. HANNA. Mr. President, I have had the honor to be a member of the Naval Affairs Committee since I have been in this body, besides having had some little experience with manufacturing industries before I came here; and although I have not had the five years of investigation and experience that some of my colleagues have, I pretend to know something about the manufacturing business and something about the manufacture of armor plate, from investigation and absolute personal knowledge. I have refrained from taking any part in this discussion, because I believed it to be the prerogative of a Senator to hear the arguments frankly expressed and then to judge for himself upon the merits of the proposition.

This contest on armor plate began several years ago, and, as has been stated by the Senator from South Carolina and the Senator from New Hampshire, the construction of ships provided by Congress has been delayed, owing to the failure on the part of the House or the Senate, or both, to reach an agreement on the price of armor plate. I say, as a result of my observation, that the responsibility for the failure of the construction of those ships rests upon the individual efforts of those two Senators in placing the price of armor plate below what any concern in the United States or Europe, or the United States Government itself, could manufacture if for. That is the whole trouble with this matter, and the Senator from South Carolina has given to you the animus of the whole situation when he says that he would rather see the bill fail—and consequently a failure of the progress of our Navy and the development of our marine power—than to be defeated upon a proposition which is untenable—entirely so—from a manufacturing standpoint.

I am not here to defend or uphold any manufacturer or any corporation, but I say upon my own responsibility that $445 a ton is a reasonable price, yea, a low price, for this material under present conditions. It is a price below what any nation on earth is paying to-day, a price which nobody here yet has stated upon knowledge of facts and figures is a high price.

Mr. WELLINGTON. Will the Senator from Ohio permit me? I have a very distinct recollection that in the House of Representatives not only was it proved by investigation that armor plate could be made for $240 a ton, but the Illinois Steel Company offered to make it for $260 a ton.

Mr. HANNA. I believe that testimony was produced in some investigation. I happened to know something about that investigation, and I know that that proposition was a pure bluff. The then president of the Illinois Steel Company made the offer in personal pique against other manufacturers of armor plate, just as he has since been guilty of other transactions of the same nature. It was a pure bluff.

Mr. PENROSE. I should like to interrogate the Senator from Ohio. I should like to ask him whether that bid was not based upon the guaranty on the part of the Government that orders for some 6,000 tons annually should be furnished to the establishment?

Mr. HANNA. Yes; but he had no idea of getting the contract, and did not want it.

Mr. PENROSE. It was a bluff, as the Senator has stated. In addition to that, the stipulation was inserted in the bid that the Government should guarantee, for a series of years, orders of 6,000 tons annually.

Mr. TILLMAN. Has the Senator ever read the report by and testimony taken before the Naval Committee, in which Mr. Linderman and Mr. Schwab testified that if we would give them a contract for 6,000 tons they would give us a rebate of $100 a ton on it?

Mr. HANNA. Yes.

Mr. TILLMAN. Showing that the magnitude of the contract cuts a big figure in the price.

Mr. HANNA. Yes.

Mr. HAWLEY. The Senator ought to state that there was embraced in the proposition a provision that we should give them a contract for 6,000 tons a year for twenty years.

Mr. TILLMAN. There was no limitation; just 6,000 tons a year.

Mr. HANNA. For a term of years.

Mr. TILLMAN. No term of years.

Mr. HANNA. That was the intention.

Mr. TILLMAN. I do not know what their intention was. I am certain it was not good.

Mr. HANNA. I do not want to take up any time in a dialogue on this matter. I simply desire to state the facts as I know them, and I propose to present them fairly.

The cost of making armor, of course, depends largely upon the cost of the raw material and labor. There has been an advance of fully 25 per cent in both since the question was under discussion before, and particularly in labor, which amounts in these works, I am told, to over 30 per cent. Therefore the conditions are not quite so favorable now for regulating the prices as they have been. While I have not fully considered and do not know what is the best basis upon which to compromise this, I do know and I do feel that under those conditions some discretion given to a man of the ability and integrity of our Secretary of the Navy would be greatly to the advantage of the United States in watching his opportunity as he makes contracts, not perhaps in gross tonnage, but from time to time as he sees that it is for the best advantage of the Government to do so.

I want to know whether the character and integrity of that officer are any less to-day than they were when the United States placed at his disposal $22,000,000 for expenditure during the war. I want to know whether the political ambition of a man of his character can interfere with his judgment and his integrity in the discharge of his public duty. I resent any such imputation upon any member of this Government.

Mr. President, it has been stated here by several Senators, with respect to the ability of the Government to build an armor plant, that it can be done in a year and a half or two years. It can not be built and completed and prepared to furnish armor to the Government in five years.

Mr. SCOTT. That is right.

Mr. HANNA. These immense compressors or presses are only made in two places in the whole world. It would take three years before one of them could be built.

Mr. TILLMAN. Has the Senator read the testimony of Mr. Carnegie before the committee, in which he stated that after having built his addition to his steel works he was able to make armor and deliver it within nine months from the date when he received the contract?

Mr. HANNA. Yes; but the Senator——

Mr. TILLMAN. When the Senator is so reckless in his personal opinions I must call his attention to the facts.

Mr. HANNA. If I ever grow to be as reckless in my assertions as is the Senator from South Carolina, I shall feel very bad about it. Of course, if Mr. Carnegie had his works complete and his machinery prepared and ready for production, he could make armor plate or any other material inside of nine months; but I say, and I repeat it, that no man and no corporation and no amount of money can produce one of these compressors inside of three years, because it can not be made in a shorter time. The immense machinery connected with the whole outfit of armor-plate manufacture is of the same nature.

It so happens that at this time the whole world is busy. The manufacturing industries in this country are driven to their utmost. You can hardly buy an engine of a thousand horsepower short of a year to a year and a half delivery. When you state that this Government can build and complete an armor plant in a year or a year and a half or two years, you are stating what is not true. It is not so.

Mr. TILLMAN. In view of his statement a moment ago, the Senator will recall the fact that several steel mills have been shut down because of want of work.

Mr. HANNA. That is the same man who made the offer of $245 a ton, who is said to have shut down the mills to influence the stock market.

Mr. TILLMAN. It shows how unscrupulous men get to be when they get to be millionaires through trusts. They not only get to be liars, but thieves, also.

Mr. HANNA. The Senator does not mean to call anybody a liar?

Mr. TILLMAN. I am not calling any individual a liar. I am only speaking in general language.

Mr. HANNA. I do not propose to go into that branch of the subject, either.

I have no hesitancy in saying, and I repeat what I said, that an armor plant can not be built and completed in five years; and I have no hesitancy in making a further prophecy, that no matter when it is built or completed, the Government of the United States can not manufacture armor plate within 50 per cent of what it can buy it for. I know how these things are conducted. I know what it means. The bare, naked armor plant is nothing compared with the entirety of such an organization. If you are going into anything economically, you have to commence at the base—the raw material; you have to make your pig iron and your steel, and through all the ramifications of manufacture you have to absorb every profit to the Government in order to economize.

Mr. HOAR. You must have a trained corps of men.

Mr. HANNA. You must have your experts; and then I want to know where you are going to get your knowledge by which you can manufacture the Krupp patent armor. I have heard it stated several times during this discussion that the United States Government could secure that.

Mr. TILLMAN. We only have the testimony of Admiral O'Neil.

Mr. HANNA. I do not care whose testimony the Senator has. I am stating my proposition.

Mr. TILLMAN. The Senator first appealed——

Mr. HANNA. I am stating my own proposition upon my responsibility.

Mr. TILLMAN. The Senator first appealed to us not to impeach the honor and integrity of John D. Long, in which I agree with him, and then he turns around and repudiates the admiral in charge of the Ordnance Bureau as unworthy of belief.

Mr. HANNA. I appeal to the Senator, as I am a tyro here, to give me half a chance.

Mr. TILLMAN. I will not interrupt the Senator from Ohio any more.

Mr. HANNA. I thank you.

The cost of armor plate depends on the iron ore, and so through all the ramifications of its manufacture, in every step and process of which labor is involved to the extent of 90 per cent of it. That is the proposition you are obliged to confront to-day. Then there is the advanced price of skilled labor in this country. When you talk about taking anybody and everybody into such a manufacturing establishment, men who know nothing about the processes, you would be running a risk that the United States Government could not afford and would not take. You have got to have skilled mechanics, you have got to have men who have been trained from the beginning of this operation, or else every plate you manufacture will be a failure.

Mr. ALLEN. I should like to ask the Senator from Ohio if the Government can not get that skilled labor?

Mr. HANNA. They can get it if they hire it from other people who have it.

Mr. ALLEN. Very well. Why not do that?

Mr. HANNA. If you would pay higher, you could get it in that way, probably.

Mr. ALLEN. Why not do that?

Mr. HANNA. I thought you were studying economics.

Mr. ALLEN. I am studying economics. I assume that when the recent Secretary of the Navy, Mr. Herbert, reported that this plate could be made for $192 a ton, and a great profit made on it, he was sufficiently near the truth, and that between that margin and $445 a ton the Government might be able to make some money.

Mr. HANNA. I do not believe that plate could ever be made for $192 a ton.

Mr. ALLEN. Mr. Herbert made the statement, and it is on file here.

Mr. HANNA. I am not disputing Mr. Herbert; I am stating my opinion; and I think I know as much about the subject as ex-Secretary Herbert.

Mr. ALLEN. Does the Senator own armor plate?

Mr. HANNA. No; but I have been in the manufacturing business, and I have been connected with a steel plant for a great many years.

Mr. ALLEN. Has the Senator ever manufactured armor plate?

Mr. HANNA. No; I have not.

Mr. ALLEN. I mean outside of political armor plate.

Mr. HANNA. No, sir; but I have found it pretty invulnerable. [Laughter.]

Mr. ALLEN. With the means employed by the Senator from Ohio in producing invulnerability, I have no doubt he has found it so.

Mr. HANNA. Thank you.

Now, Mr. President, I made the statement at the beginning of my remarks that I did not think $445 a ton was an excessive price, and I think I know what I am talking about. If either of these concerns that have been manufacturing armor plate in this country had devoted the same amount of capital and attention to any other branch of their manufacturing business, they would have made two dollars where they have made one in the Government work they have done. There is not any branch of the steel industry but what, if they had devoted the same amount of capital and labor in its construction, would have brought a better remuneration. The amount manufactured up to this time has averaged less than 2,000 tons to a plant, and on the cost of that manufacture, with the returns that they have received, they have not made much more than 6 and 10 per cent on their investment; and that is not a manufacturer's profit; it should not be.

Now, with reference to the situation of this bill, I have trusted to abler hands and more experienced ones the management of the affairs of the Naval Committee. I have been willing to support the majority of the Senate and leave it for our conferees to attempt at least a settlement of this important question without any personal feeling or prejudice in this matter. But I protest that when it descends to a personal matter and when the Senate has settled this question by a unanimous vote, that question should rest there and go where it belongs for a final settlement, to the conferees. I do protest further that the individual effort by parties who would rather see this bill fail than that they should yield should not be the governing influence in the decision of this important question.

Mr. TILLMAN. Mr. President, the Senator asks me not to interfere with a tyro, and I would not do it if his remarks were not now in the direction of personal remarks.

Mr. HANNA. I will waive it.

Mr. TILLMAN. The Senator a few moments ago took occasion to say that it was owing to the efforts or to the work of the Senator from New Hampshire and myself that we were in this condition. While that is one of the highest compliments I have ever had paid me, I leave it to Senators here, who have been convinced by arguments and facts presented in this discussion before the Senator came into this body and since he has been here by which the Senate has voted once, the first time, by a vote of three to one and every time since by a vote of two to one that we were right, to decide as between his assertion that it is a personal matter, a personal triumph, or whether Senators here are independent and act upon their responsibility after they have received proper information.

Mr. HANNA. I have nothing to take back, nor do I intend to drift into any personalities in this discussion. I have not been here as long as either of the other Senators, but during the time I have been in the Senate I have been on the Naval Committee, and as far as my intelligence and perception would carry me I have studied this question, and I think I understand it.

I have risen to say what I have said only because I saw the drift of things and what the intention was, to try to get the bill back from the control of the majority who have decided this question. I stand with the chairman of my committee. I am willing to trust to him and his colleagues on the conference to bring about a fair settlement of this question, a settlement with which the Government ought well to be satisfied. I am in favor of the growth and development of our Navy and of our maritime power in every direction, and therefore I do not want to see any misstatements or misleading facts, ignorantly perhaps, brought to bear upon members in this Chamber to influence them to change their votes if they have voted as their conscience and their judgment dictated in the first instance.

Mr. ELKINS. Mr. President, I feel some hesitancy in speaking before a Senate with so many able experts on the subject of building war vessels and manufacturing armor plate. I confess my utter ignorance of the armor-plate question and what it costs and what it ought to cost to make it. I make this confession because I do not want the Senate to find out that I am as ignorant after I have spoken as some of the Senate experts who have spoken on the subject, and studied it five or six years, have shown how ignorant they are and utterly without accurate information, or such as can can enlighten Senators and tell them how to vote.

It is easy to talk about establishing a great armor-plate factory, as if it could be done in a short time without difficulty or embarrassment and with a certainty of success. But let me ask Senators if they know what it would cost? The statement is made

that one can be built for $4,000,000. Mr. President, it may cost $10,000,000, and then be a failure.

There is one factor that enters into the building and operating of an armor-plate plant that has not been mentioned and has been overlooked. The armor-plate factories pay, I am told, some of them, a salary of $40,000, some of $50,000, per annum to experts, and then a number of them who receive from ten to twenty-five thousand per annum. If the United States Government employed a man as an expert, though he might be better than the Senatorial experts, and paid him $40,000 or $50,000 a year for his services, how long would it be before there would be an investigation on account of the waste and extravagance of the people's money? Then, again, owing to the limited number of skilled experts in the world, can the United States calculate with certainty on getting them when and as they may want them? The idea of the Senators who are so learned on this subject is to pay a man about $2,000 or $3,000, and the country is full of them at that price, but it is not true that there are many experts whose services can be had at even $40,000 or $50,000 per annum. If the armor-plate combine is so wicked and dangerous, it might hire all such talent. In that event, how could the Government go on in building and operating an armor-plate factory?

Again, the United States would be confronted with the use of patents. It would have to go through all the experimental stages that take place in building up an armor-plate factory. It can not be done in a few years. It is not an established industry: at best, it is experimental in the United States and elsewhere. The Senator from Ohio and my colleague have called attention to the fact that the making of armor plate is largely experimental. Some new method, machine, or process may cost a million dollars and then be discarded. If the United States should find itself in this situation, it would be a great loss without any return and be discouraging; while if it is a loss to the manufacturer, it is his risk, and he is supposed to base his calculations upon such contingency.

Now, Mr. President, under private ownership the Government is not responsible for any loss or failure in making experiments.

Mr. President, I oppose building an armor-plate factory by the Government for another reason. It is another step toward paternalism on the part of the Government on a large scale and the Government ownership of public works.

We well remember that the Populist convention the other day in Nebraska put in its platform a plank directly advocating the ownership of railroads, telegraphs, telephones, and other plants, as well as the right to print paper money limited according to population. Very soon we will find the Democratic party in its convention at Kansas City on the 4th of July, indorsing this Populist platform and nominating the same man for President that the Populists have nominated. The fact is, the Populist party already dominates the Democratic party by furnishing them the only live issues they have, although they are revolutionary and reactionary.

Mr. President, we might as well resist the beginning of these things here and now if it is possible. I object to the Government owning railroads, telegraph and telephone lines, and an armor-plate factory or engaging in any business that the citizens of the country can legitimately engage in.

The Senator from South Carolina claims to be accurate, and reads from reports he has studied for five years to show his vast information and how accurate he is on so technical a question as manufacturing armor plate. Now, let us test his accuracy by the RECORD. He said the vote in the House was only 10 majority——

Mr. TILLMAN. Fifteen.

Mr. ELKINS. Eighteen.

Mr. TILLMAN. Fifteen.

Mr. ELKINS. I have in my hand the RECORD. The vote was 107 yeas and 125 nays. The majority was 18. Why did you say 10? And then correct it by another mistake and declare it was 15, when the RECORD says it was 18? If the Senator's information about armor plate is as inaccurate as his information about the proceedings of the House, with the RECORD before him, he should not be trusted, though he claims to be an expert and well informed on armor plate. How can we believe the Senator's expert knowledge, though aided by the Senator from New Hampshire, another expert on this subject?

Mr. TILLMAN. It is such a magnificent discovery that in glancing at the figures I did not make the subtraction correctly in my head, that I leave the Senator from West Virginia all the honor and glory he can get out of it.

Mr. ELKINS. The Senator said at first the majority was 10, and the RECORD says 18. That is a very wide difference; it is nearly double. Now, discounting what the Senator said about armor plate that much, I think you will bring the price up to $450 per ton that the Senator opposes so much. The Senator says armor plate should cost only $300 per ton. Now, if he is out of the way and mistaken only 50 per cent, this would bring the price up to $450 per ton. In the matter of the House vote he was out of range nearly 100 per cent. Too bad for an expert.

Mr. President, business men do these things upon business principles. The proper and businesslike way would be to leave the price, not to exceed a given amount, to the Secretary of the Navy. In England the British Government votes its budget annually for the navy and the other great departments of the Government in bulk and holds the ministers responsible under a criminal statute for the expenditure of the money, putting no limitation upon them. The British Parliament trusts the Government ministers. It reposes confidence in their judgment, ability, and integrity.

Senators can afford to trust the Secretary of the Navy and hold him responsible. He is under oath, as we are. Having the advantage of the advice of the best experts on the subject, he is far less liable to make a mistake than Senators who are mere laymen and have no expert knowledge on making armor plate and what it should cost.

The Senate not only wants to place a limitation on the Secretary, but it wants to fix the price absolutely that he shall pay for armor plate. The Senate is without expert knowledge. The Secretary of the Navy has at his elbows some of the ablest experts in the world to advise him upon this question. When he comes to invite bids for armor plate, he can call his experts and he can say to them, "Are the bids fair or not? Are they too high?" And if he is advised that the price is too high he can and will reject all bids and report to Congress. Does anyone believe that the Secretary of the Navy would do the Government of the United States any injustice—that he would lend himself to any combine or any trust any more than Senators? It is impossible.

Mr. President, I think we should trust the executive department of the nation. I think we should intrust it with the expenditure of the public money. In this instance, since there has been so much discussion, I am willing to place a limit on the amount to be paid and let the Secretary of the Navy act within his discretion, and if he can not get the price that he thinks armor plate ought to be furnished for, stop the building of ships and report to Congress at its next session for its action. We can decide then about building an armor-plate factory.

Now, Mr. President, the Senator from New Hampshire says that in every instance the Secretary of the Navy has been obliged to pay the price demanded by the armor-plate factories. This may be true, but in no instance has the Secretary of the Navy ever had the power to pay a certain price or build a factory, as is proposed by the House in the proposition brought forward in the conference report. Secretary Herbert, when retiring from power at the end of Cleveland's Administration, recommended precisely this proposition.

Mr. CAFFERY. Will the Senator from West Virginia allow me to ask a question?

Mr. ELKINS. Certainly.

Mr. CAFFERY. I understand the Senator to say that in the House proposition a certain price is limited or in the alternative we are to build an armor factory?

Mr. ELKINS. Yes, sir.

Mr. CAFFERY. I much misapprehend the reading of the report if the House conference amendment does not leave to the discretion of the Secretary of the Navy the price to be paid.

Mr. ELKINS. A reasonable price. It says a reasonable price, or he is to build an armor-plate factory.

Mr. CAFFERY. Does the Senator call the price fixed by the House any price left to the discretion of the Secretary of the Navy?

Mr. ELKINS. Mr. President, I would be willing to trust the Senator from Louisiana to fix a reasonable price upon anything in the administration of any office he might hold under the Government.

Mr. CAFFERY. I am much obliged to the Senator.

Mr. ELKINS. I am willing to trust the Secretary of the Navy, advised by great experts, as to what price he should pay up to a given sum named as a limit.

Mr. CAFFERY. If I were Secretary of the Navy I would decline that imperial crown.

Mr. ELKINS. The Secretary of the Navy, the executive, can not shrink from responsibility. There are $15,000,000 involved in this question, I understand. We vote $115,000,000 to the Postmaster-General to expend in one year. We place no limit upon what he shall pay. We vote to the Secretary of War, to carry out a river and harbor act, sixty and seventy million dollars, and he is not bound to spend nor does he often spend all of the appropriation in any given case. He advertises for bids and he takes the lowest responsible bidder, and in many cases saves 20 and sometimes 30 per cent on the amount appropriated. Now, why is it that in this armor-plate question, involving as it does a large sum in one way, but not as large as other Departments expend, we can not trust $15,000,000 to the Secretary of the Navy and let the responsibility rest upon him?

You can not administer government without trusting to somebody. Responsibility must fall upon somebody, and if it falls in this case upon the Secretary of the Navy, who is an able, honest,

and fearless man, as all admit and no one questions it, and advised by a great staff, I think, Mr. President, that the Government of the United States will not be despoiled, robbed, and cheated, as some imagine. I am sure it will not be.

Now, I do not understand all this talk about the great dangers of a combine. I do not see the Senator from Colorado [Mr. TELLER] in his seat. He thinks that the armor-plate people are going to take the Government by the throat, and if they can not get the Government by the throat they must take 75,000,000 people by the throat. I do not know why the Senator is so apprehensive or fears that possibly he may be robbed before he gets home after this session by armor-plate people or some trust or combine. I do not think the people of the United States are in danger of the trusts and combines to the extent that the Senator seems to feel.

We can pay or not pay the price asked by any trust or combine. We are at entire liberty to pay for armor plate just what we think it is worth, and what the officers of the Government think it is worth and not one dollar more, and the combine can not force the Government, when the discretion rests with the Secretary of the Navy to pay a reasonable or a just price, to pay more than this price. The armor-plate combine can not oblige the Secretary of the Navy to pay more for armor plate than he honestly thinks he should pay. All this talk about the combine taking 75,000,000 people by the throat and forcing them to give up the public funds is purely for campaign purposes, and should have no place in a proper effort to dispose of purely a business question upon business principles.

Mr. President, the position of the House, as I said before, is precisely the position of ex-Secretary Herbert; and why should it be attacked here in the Senate? It is an independent body, entitled to the same consideration and respect for its opinion as the Senate.

Now, Mr. President, I am willing to leave this matter to the conferees, and I believe they will bring in a report that will be just and one we can sustain.

Mr. ALLEN. Mr. President, this discussion has brought out the fact that the friends of the trusts and combinations are in the saddle. Of all the interesting questions that have been before the Senate during the winter respecting our foreign relations and other important matters, they have not been of sufficient importance to bring out any remarks from the junior Senator from Ohio [Mr. HANNA] or the senior Senator from West Virginia [Mr. ELKINS]. But when we touch one of the great industrial trusts that threatens to rob the Government of millions of dollars, and an attempt is made to destroy its influence, that moment these gentlemen appear upon the floor as the advocates of this great octopus and undertake to persuade Senators that the Government ought not to engage in the occupation of manufacturing armor plate, but should stand up and be rifled at the will of this organization.

The Senator from Ohio asserts with considerable strength and vehemence that he knows all about armor plate. Although he is not engaged in manufacturing the kind we want to buy, yet he asseverates with great strength that his knowledge of its cost and of the profit is accurate and indisputable. I infer that he means to imply at least that those of us who disagree with him are mere pigmies in this field of knowledge, and that whatever we may say should be whistled down the wind without any attention, while the greatest attention and the greatest consideration should be given to his assertions.

The Senator from Ohio will not be able, in my judgment, to brush aside with a wave of his hand and a strong assertion the history that has been formed within the last few years respecting this very interesting subject.

Mr. Secretary Herbert, of the Navy Department, a few years ago made a lengthy report covering a great many pages and a very careful report on the subject of the frauds in the manufacture and sale of armor plate and the cost of armor plate. It was not a loosely drawn document. It was carefully prepared by that able man after an exhaustive research into all the facts that were obtainable at that time. He asserts in that report that armor plate, the harveyized plate, can be manufactured and sold to the Government at a profit at $192 a ton. Against this careful report and this careful investigation by Secretary Herbert we have the assertions of the Senator from Ohio and the Senator from West Virginia.

I am rather inclined to believe that if the Government could not save some money by the erection of an armor plant, if it were a profit-losing rather than a profit-making transaction, these protests would not come so thick and fierce and fast, and the Government would be permitted without any objection to undertake the enterprise.

One of the arguments used by the Senator from Ohio in support of his position is that somebody has cast some reflection or may cast some reflection upon the honorable Secretary of the Navy. I have never heard a breath of suspicion against that eminent man in my life, neither here nor elsewhere, and I do not believe there is a Senator in this Chamber who would so belittle himself and so minimize his influence among his associates as to assert or imply that there is anything questionable about the honesty and capacity of that eminent officer.

But, Mr. President, that is not the question. That is not the question before the Senate. This is a Congressional duty. It is the duty of Congress to legislate, and not the duty of the Secretary of the Navy to legislate. It is our duty to authorize the construction of vessels and to determine the class of vessels we will have constructed. It is our duty to fix the amount of money that shall be used in the construction of vessels and, if we see fit, to limit the price that shall be paid for vessels and that shall be paid for the material that goes into their construction. And because we do not see fit to abandon this plain, constitutional, imperative duty and turn it over to an executive officer, where it does not properly belong, it does not follow that any imputation is placed upon the capacity or character of that officer.

But, Mr. President, I am led to believe that the Senator from Ohio was not conscious of any charge that had been made against this officer, or any imputation against him, but that this argument was used as a mere specious sort of argument to whip into line those who might be reluctant otherwise to turn over this far-reaching and dangerous power to him.

The Senator from West Virginia, of course, follows in the wake of the Senator from Ohio. He, too, knows all about the price of armor plate. The Senators seem to think that no other person, however skilled he may be in reading or investigating facts, can know anything about this particularly interesting subject but themselves. Great is knowledge, Mr. President, and great is the man who possesses a monopoly of it.

But the Senator from West Virginia could not restrain his desire to run into party politics. Directing his attention to this side of the Chamber, and to a few of us who are Populists and not Republicans or Democrats, he said he saw a few days ago that the Populists in my State had put in their platform something about the Government ownership of railroads. Mr. President, the Populists of my State have not met in State convention thus far. So the Senator was either mistaken about the State in which he saw this doctrine announced, or he had been reading the platform which was adopted by the national Populist convention nine years ago.

Indeed, the Senator from West Virginia spoke as though he thought this was a novel doctrine. I have no doubt he was entirely honest, and entirely ignorant, too, of the fact that 85 per cent of the nations own and operate their own railroads and have done so since railroads came into existence. The United States and England, to which he referred as an example for us to follow, are the only two nations upon the face of the globe where the railroads are owned and operated exclusively by private individuals or private corporations. Yet I have no doubt the Senator from West Virginia, in the fullness of his knowledge, has never discovered that fact.

So it is not a new thing, Mr. President. The State of Georgia built and owns and operates a railroad, unless she sold it recently. Railroads were built in the State of Michigan and owned and operated by that State, and in half a dozen other States of the Union; and that, too, Mr. President, long before the Senator from Ohio or the Senator from West Virginia or myself opened our eyes to the light of the world. It is not a very novel doctrine. This Government owns a ship canal. It owns canals of different kinds and properties that are used as semiprivate property. There is nothing new or startling in this doctrine, except that the Senator from Ohio and the Senator from West Virginia would have the Government stand and deliver to these private organizations whenever they see fit to demand revenues at our hands.

I will not be unkind enough to say or to intimate that the Carnegie Steel Company and the Bethlehem Works have made and intend to make the political armor of the Republican party in politics by their contributions. I leave that question to the future. Therefore, there is some interest, of course, in protecting their rights or protecting them in their demands upon this Government.

Mr. President, it is idle to say, it would be a foolish thing to say before children 10 years of age, not to mention men of large experience in the world, that this Government, with all its resources, can not build and operate an armor plant and build armor plate more cheaply than any private institution. I ask the Senator from Ohio if we do not to-day manufacture the best parts of our cannon, whether for use on land or on sea, at our navy-yards?

Mr. HANNA. I will answer that question if the Senator will allow me.

Mr. ALLEN. Certainly.

Mr. HANNA. All the United States Government do in the manufacture of cannon is to put the steel together, which is manufactured at Bethlehem for them at an expense of about $700 a ton.

Mr. ALLEN. We manufacture at Government expense and under Government direction the very best armament for naval or land defenses that is manufactured upon the face of the earth.

Mr. HANNA. No; we only finish it.

Mr. ALLEN. If we can finish it, Mr. President, we can begin at the beginning and make it and finish it, too; and it is idle to assert to the contrary and expect anybody to believe the assertion.

Mr. President, I am not here to talk politics; I am not here to criticise any public officer in the discharge of his duty; I am not here to question the good faith of any man; but I am here to question the good faith of the Carnegie steel works and the Bethlehem works when they come here through their agents and friends and protest against the Government entering upon the manufacture of armor plate such as we must have for the use of the Government, and thus we will avoid these frauds and scandals and we will avoid these exorbitant prices. If the Government can not manufacture these things as cheaply as can these corporations, they ought to be willing that we test the question. A year or two years will demonstrate the fact; and then we shall know whether we can do the work successfully or not, or whether we must turn the business over to them.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on agreeing to the report of the conference committee.

Mr. TELLER. Mr. President, I do not care to delay the Senate any length of time in the discussion of this question, but after what has been said here I am disposed to express my opinion about this case.

As usual, those of us who do not agree with certain members of this body or certain people in the country are charged with some ulterior purpose. We are now, because we are not willing that the Government should pay an unreasonable sum for armor plate, charged with a desire to prevent the increase of the Navy. Why, Mr. President, long before the Senator from Ohio came into this Senate, or, so far as I know, had any influence in political or public affairs, I stood here advocating the increase of the Navy. There never has been such a bill proposed here that I did not vote for if it contained a provision for an increase of the Navy, nor such an amendment proposed which I did not support with my voice as well as my vote.

But, Mr. President, this is now the new method: If you do not agree with the Administration of public affairs as now carried on you are either guilty of treason or of some other crime; if you do not quite subscribe to the imperialistic ideas which are now abroad, you are guilty of treason; and if you are not willing the Government shall be robbed—I repeat the term, though it is objectionable to the Senator from West Virginia, and probably to the Senator from Ohio—if you are not willing the Government shall be robbed by the armor-plate combine, then, of course, you are against the Navy.

I said—and I repeat it—I would rather the Navy would stand still for the next five years, while we were building an armor plant, than that the Government should submit to be held up by these combines. If I thought the Government would suffer seriously, I should not be willing that should be done; but I believe, in the condition of the world's affairs, we can safely suspend operations for a time.

Mr. President, I am not frightened by the declaration made by the Senator from Ohio that we can not build an armor plant in five years. I never engaged in the business of making iron; I do not pretend to any special knowledge of it; but I do know that Carnegie, not taking his old plant, as the Senator said, but beginning from the ground up, made an entire plant for armor plate and had it in full operation inside of a year. Mr. Carnegie may do some things that the Government of the United States can not do, but when it comes to an enterprise of that kind there is no private concern that can beat the Government if the Government is in proper hands. If it takes five years to build an armor plant in this country, it will be because those who are in charge of the executive department of the Government want to give these combines five years more to make us pay extortionate sums for armor plate.

The PRESIDING OFFICER. The Senator will please suspend for a moment. It is the duty of the Chair to lay before the Senate the unfinished business which is the bill (S. 2355) in relation to the suppression of insurrection in, and to the government of, the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898.

Mr. LODGE. I ask that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

Mr. TELLER. Mr. President, there is another thing as to which I have some complaint. When we decline to put into the hands of an exexcutive officer power that we think he ought not to exercise, it is no reflection upon him, although the Senator from Connecticut seemed to think that it was some reflection upon the Secretary of the Navy because we were not willing to grant him unlimited power. Our whole Government goes upon the theory that we do not grant unlimited power to our executive. Why did the fathers of the Constitution provide that we should in making appropriations determine what the public money should be used for? It was not because they were afraid that the executive department of the Government would steal the money, but because the executive department does not represent the people as does the legislative department. It is inconsistent with a republic that they should, Mr. President. The executive department is to execute the law which the legislative department has registered.

In these modern days, Mr. President, the legislative department of the Government is being sunk into insignificance and the executive department elevated. That is the tendency. I know that was the tendency under a late Administration presided over by a Democrat; and that is the tendency intensified under this Administration. Every time we say we would like to restrict the power of the Executive, then we are charged with abuse or with criticism or with suggesting that the Secretary of the Navy may steal or that the President may commit some crime.

Mr. President, that does not frighten me. I believe in the checks and balances that the fathers of the Constitution, the originators of this system of government of ours, put upon affairs in this country. It is not our place to turn over to the Secretary of the Navy and make him take the responsibility which belongs here. The Senator from New Hampshire spoke of that as a cowardly performance; and so I think I shall be justified in saying that it seems to me to be a cowardly performance. When we say, "It is a difficult question," the reply is, "You have got to meet these great combines; they will be heard in the next election; and we think perhaps on the whole you had better turn this over and let the Secretary of the Navy wrestle with it; he is but one man, and we will escape the responsibility." I do not propose to do it. I believe it is the duty of this Congress to fix the price we are willing to pay for armor plate, and I am willing, so far as I can, to take the responsibility in that matter.

The Senator from West Virginia seemed to think that the terms "taking the Government by the throat" and "taking the people by the throat" were terms not to be used in this body. Mr. President, if there ever was in the history of this country a case where the Government of the United States has been taken by the throat by corporate power it is in this case of armor plate.

Why have we not built an armor-plate plant, Mr. President? Is it not because these corporations have taken the legislative branch, as well as the executive branch, practically, by the throat? It is because they have made the legislative department feel that it is not safe to take this step and interfere with their opportunities of compelling the Government to pay an extortionate price. The Senator from Ohio says that he knows that the price is not extortionate. I prefer to rely upon the committee of this Senate and the committee of the House of Representatives, which looked into this affair, when there was at the head of the Navy Department——

Mr. HANNA. May I ask the Senator a question at that point?

Mr. TELLER. Certainly.

Mr. HANNA. I should like to know when that investigation was made by that committee?

Mr. TELLER. It was made a few years ago.

Mr. HANNA. How many years ago?

Mr. TELLER. Four or five years ago, I think. I do not remember precisely.

Mr. HANNA. Is the Senator aware of the marked change of conditions since that time?

Mr. TELLER. I am. I understand it.

An investigation was made when there was at the head of the Navy Department a man whose character was equal to that of the present Secretary. There is no question about that.

Mr. HANNA. I am not speaking about the character of men.

Mr. TELLER. I will come to the point the Senator wants me to come to. I will tell him why, perhaps, there is a difference in conditions, and particularly why prices are up. But, Mr. President, after careful consideration and a nonpartisan consideration, the committee declared that for $300 or less per ton armor plate could be made at a profit; and they were buttressed and supported by the fact that these concerns were selling armor plate to foreign powers and carrying it across the sea, with freight paid, and selling it at $50 or $60 a ton less than $300. I suppose the Senator wants the country to believe that these armor companies were carrying plate to Russia and selling it at a loss. Nobody believes that, not even the Senator from Ohio.

There are other conditions. Not only is the Democratic party not in power, but there are other conditions to which the Senator wants to attract my attention; and that is that prices have risen, he says, 25 per cent. So prices have risen in this country. I do not know, but I will venture the assertion that they will fall 25 per cent in the course of the next year. Why did prices rise? Because of the combination of the great industrial concerns of this country who manufacture iron and steel. When one man

fixed the price or any number of men have congregated together and fixed the price of iron and steel, the price rose. When there was no longer that guardian of trade and commerce—competition—when these combinations determined what the output should be, and when they determined what the price should be, then prices went up.

The price of iron and steel went up, Mr. President, not on a just and righteous demand. One day we were notified that cut nails had gone up 65 cents a hundred, because the trust had fixed upon them an additional price. Within thirty days they added 15 cents more on the hundred pounds. Here were 65 cents and 15 cents more added, making 80 cents on a hundred pounds. Cut nails, which had been sold in the community in which I live at retail for $2 a keg, went to $8 a keg. Does anybody believe that it cost any more to make those nails when they sold for $8 a keg than when they sold for $2? If they did, it was because there was some fault in the method of making nails, for they had not increased the pay of labor to any considerable extent in those concerns, certainly not to an extent which would justify an increase of 5 per cent.

Mr. HANNA. If the Senator will allow me, I will state to him that it is a fact that those concerns advanced the wages of their men 30 per cent.

Mr. TELLER. They advanced the wages of the men over what they had paid them in the great panic. When the panic came they put the wages down, and when the panic was over they put them up. It cost as much in labor to make nails that were sold at $1.90 a keg as it cost when they sent them out at $6 and $7 a keg, and when they compelled every retail dealer in the United States to sell their product at the figure they fixed, which they had done all over the country; and what is true of nails is true of iron generally.

I know there is a different condition, and I know if the Government of the United States goes into the manufacture of armor plates they have got to pay an additional price for them, or they have got to buy the pig iron or steel, or they have got to go to work in the ground and manufacture it from the crude ore—one or the other.

Mr. President, I do not like to engage in any political discussion here. I think I have been as clear of that as anybody. I have said very little about politics in the last year or two, and I do not intend to say very much upon that subject now; but when the chief representative of the Republican party in the United States on this floor—and I speak advisedly when I say that—comes here and defends what has been said by many of his own political friends here was a robbery, I think I am justified in saying that the Republican party expect to repeat in 1900 what they did in 1896, when they made an assessment upon every manufacturing concern in the United States to sustain their candidate.

Mr. HANNA. Will the Senator allow me a moment?

Mr. TELLER. Yes.

Mr. HANNA. I want to deny any such insinuation or statement as that, for it is not true.

Mr. TELLER. I knew, of course, that the Senator would dispute it. Perhaps one can not say technically that it was an assessment. Of course there was no power in the national Republican committee to make such an assessment; but I do say, Mr. President, that there was not a national bank in the United States, not one, not even in my own State, that did not receive a demand for a contribution to the Republican campaign fund.

Mr. HANNA. Allow me to answer that.

Mr. TELLER. Certainly.

Mr. HANNA. The First National Bank of Denver, Colo., was the recipient of all the contributions; the president of that bank was the solicitor-general of the contributions that were made in Colorado.

Mr. TELLER. For whom?

Mr. HANNA. For the Democratic party.

Mr. TELLER. I understand that, but the amount raised was inconsequential.

Mr. HANNA. A few hundred thousand dollars.

Mr. TELLER. No, sir; it was not $200,000. I myself know every dollar that went through that bank.

Mr. HANNA. So do I.

Mr. TELLER. Then the Senator knows that $200,000 never went through it. He knows that $100,000 never went through it.

Mr. HANNA. I know there was over $100,000.

Mr. TELLER. No, sir; there was not over $100,000. I know as much about that as the Senator can know, and a great deal more.

Mr. HANNA. I have authority for the statement.

Mr. TELLER. I repeat that demands were made upon bank after bank in my State, as well as in the State of Illinois and other States, as I have been told by their officers. Of course you can not say that technically they were assessments. I repeat, there was not a great concern in the United States that was producing articles for sale but what was called upon by that committee for contributions; and they generally got them, and generally got them from the banks, and I suppose that will be done again. That may account for some of the interest in these people who are making armor plate and who fix the price.

The other day when we were discussing the question it was said here that one of these great manufacturers, "Mr. Carnegie, is a Bryan man; he is supporting Bryan." I challenged that statement, Mr. President. I do not believe that he had ever said at any time that he was going to support Mr. Bryan. If he had, he made it very clear when he reached the other side of the water in a public interview, which was telegraphed all over the world, that he was against Bryan and was for McKinley. I do not suppose that had anything to do with this armor-plate matter. I am not going to make such a claim, because Mr. Carnegie was supporting Mr. McKinley in 1896. I do not know that he ever made the utterances indicated, that he was not going to support Mr. McKinley in 1900; but I know more than that. I know that the class of men to which he belongs felt it to be to their interest to elect McKinley in 1896, and they feel that it is to their interest to reelect him in 1900. It may be that it is; but I do not believe it is if they are honestly producing articles and expect to submit to the legitimate rules of commerce and trade.

I did not mean to say all this, Mr. President—not but what it is true, and there is a great deal more that might be said. A fair statement of the condition of the campaign in 1896, and a full knowledge by the American people of the methods and means used, would, I think, upset this Administration in an hour, if there was a method to upset it here such as they have in Great Britain.

Mr. President, on this conference report I do not care about speaking of the inconsistencies of this Administration, then or now; but I want to enter my protest, so far as I am concerned, against this matter even having a suggestion of politics in it. I believe we can build an armor-plate plant and that we can put it in full operation and can be making plates inside of fifteen months. If we can not do it now, I propose that we shall wait six months longer or a year longer.

I want to say another thing. I think the provision that came here originally from the House was a very much better proposition for us than the proposition that is now being insisted upon by the House. Let us stop and buy armor plate and submit to the extortion that may be necessary for the three ships that are now ready for the armor plate to be put on them. The others, which are not ready, can wait, whether we build an armor plant or whether we do not. If we come here next winter and find that the Secretary of the Navy has been compelled to pay an extortionate sum—I am speaking now upon the theory that the House will not consent to building an armor plant now—we can build it then.

But I object to allowing the Secretary of the Navy authority to buy armor plate for all these ships—those ordered in this bill and those that are in the course of construction—and not place any limit or restriction whatever upon him, authorizing or requiring him to buy, and then coming here next winter and finding fault, perhaps, with the exercise of discretion on his part. Let us determine what we will do in the matter, or else say to the Secretary, "Buy armor plate only for the three ships that are now needing it, and wait until we get ready to put the armor plate upon the other ships, which we will not be ready to do for the next year or two."

The PRESIDING OFFICER. Will the Senator from Maine please state what is the motion made by him?

Mr. HALE. The first motion is that the report of the conference committee be accepted.

The PRESIDING OFFICER. The question is on the motion to accept the report of the conference committee.

The motion was agreed to.

The PRESIDING OFFICER. Will the Senator from Maine state his next proposition?

Mr. HALE. The next proposition is that the Senate insist on its amendment, which is a distinctive proposition, and disagree to the amendment of the House thereto, and ask for a further conference.

Mr. CHANDLER. On that question I ask for the yeas and nays, Mr. President.

Mr. HALE. Does the Senator ask for the yeas and nays on the entire proposition?

Mr. CHANDLER. I supposed the Senator would move to adhere to the Senate amendment and disagree to the House amendment. That is what I want the yeas and nays upon.

Mr. FORAKER. The proposition on which the yeas and nays are now called for, as I understand, covers all three points of difference; that is, it covers the question as to the course of instruction of the naval cadets—that is, the two years' course at sea before a cadet can be commissioned——

Mr. HALE. It includes all of those.

Mr. FORAKER. I would ask that that might be omitted, for

I do not want that we shall insist upon a six years' course at the Naval Academy. I should like to have that omitted; but if there is no way to separate it, of course we must deal with the entire question.

Mr. HALE. Of course there is no way to separate these questions. I will make the motions in detail, and will first move that the Senate insist on its amendments.

The PRESIDING OFFICER. The motion now made is that the Senate insist——

Mr. FORAKER. Can we not have a vote upon the amendments separately? I do not understand why we can not take a separate vote on each one of these amendments about which there is a difference between the Houses.

I do not want to instruct the conferees to insist upon the three amendments, two of which I favor and to one of which I am opposed, if I can avoid it. The result may be the same, and I suppose it will be; but I do not want to be put into the attitude of voting against my own view on two of these matters.

Mr. HALE. The Senate was very strong upon that matter after full discussion and it was decided by a vote of more than two to one.

Mr. FORAKER. That is true.

Mr. HALE. Does the Senator think it will help now to take another vote on that question?

Mr. FORAKER. I say I do not want to be put in the attitude of having to yield the opinion I have on the extension of the course at the Naval Academy.

Mr. HALE. But we have to do such things every day.

Mr. FORAKER. I suppose so.

Mr. HALE. Let the vote be taken on the motion that the Senate insist on its amendments, and then I shall be ready for a vote on disagreeing to the House amendment, on which the yeas and nays can be taken.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate insist on its amendments to the bill.

Mr. CHANDLER. Is there to be a motion to reject the House amendment?

Mr. HALE. Yes; I have stated that I will make that motion.

Mr. CHANDLER. That is the question I want the yeas and nays upon.

Mr. HALE. The Senator can have the yeas and nays afterwards.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine [Mr. HALE].

The motion was agreed to.

Mr. HALE. Now, Mr. President, I move that the Senate disagree to the House amendment to the amendment of the Senate, and upon that Senators desire that the yeas and nays be taken.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate disagree to the amendment of the House of Representatives made to the amendment of the Senate, and upon that motion the Senator from New Hampshire [Mr. CHANDLER] has demanded the yeas and yeas.

The yeas and nays were ordered.

Mr. PETTIGREW. Mr. President, I do not know that I particularly care to discuss this question at this time; but it seems to me entirely appropriate, under the circumstances, that we should rehearse that which has been often stated—the admitted facts in this connection. In the first place, it has been admitted time and again that the two existing armor-plate factories in this country were built out of the profits of armor plate which they furnished the United States; it has been admitted that these two factories are in collusion; that there is no competition between them, but that they divide the quantity of armor plate furnished; that they divide the profits, agreeing in advance upon the prices they will charge the Government. It has been admitted that these armor-plate factories sold armor plate in Europe for $250 a ton in 1895.

Now, these are the admitted facts. In the face of these facts——

Mr. HANNA. I should like to ask the Senator a question for information. Does he know how much the Russian Government is paying the United States manufacturers for Krupp armor?

Mr. PETTIGREW. I do not know. Neither do I care what they are paying. They paid in 1895 $250 a ton.

Mr. HANNA. I will tell the Senator that they are paying $565 a ton.

Mr. PETTIGREW. Within a week it has been stated upon this floor and admitted that every armor-plate factory in the world is in a combination to rob the governments to which they furnish plate. So the Russian Government, according to the statement of the Senator from Ohio, is to-day paying $545 a ton, that being the international price, or $300 a ton more than the price at which our manufacturers furnished it to them before the combination was made.

In the face of these facts how can we refuse to build an armor-plate factory? What argument can be presented? Who disputes the facts? No one. We are told about the difficulty of getting experts. If we build an armor-plate factory there will be no other customer but the Government, and we will have command, at reasonable wages, at our own prices, of every armor-plate expert in the United States. If we build a plant and make our own armor, the factories having no other customer, will have no use for the armor-plate experts, and we can employ them. Why is it that we are now asked to recede? Why is it we are asked to adopt the House amendment? Is it because we believe if we leave it to the Secretary of the Navy we will get armor plate for less than $445 a ton?

Mr. HALE. The Senator understands that the committee does not ask the Senate to recede, but asks it to insist and not to agree.

Mr. PETTIGREW. I understand; but what called forth the speeches from the Senator from Ohio and the Senator from West Virginia except to make preparation for the Senate to recede? Do you think those gentlemen advocated it because they thought the Secretary of the Navy would get a less price than $445 a ton? No. They certainly advocated it because they believed they would get a higher price.

Mr. HANNA. How does the Senator know?

Mr. PETTIGREW. I know because I learn something from observation and experience. I know because in 1892 the Republican party collected from the Cramp Company and from Cramp $400,000 in cash to make their campaign, on the promise that he should recoup the money out of the ships he was to build. Of course if the Secretary of the Navy lets the contract and we pay $545 instead of $445 a ton on 35,000 tons the difference is three millions and a half, and the contributions, instead of being $400,000, can run into the million.

No wonder, then, that the men who collected the funds for the campaign of 1896 stand upon this floor and champion this, because it will be easier to secure the contributions; this is the source.

Yet we are charged with delaying the construction of the Navy. Have we not advocated—those of us who objected to this combination price, to this hold-up of the Government of the United States—from the beginning of this controversy the construction of an armor-plate factory? Is not that proof conclusive that we are not trying to prevent the building of a navy, and rather that we were trying to prevent a combination from plundering the Treasury? Suppose we had begun the construction of the plant four years ago, when this controversy first commenced? It would have been completed long ago, and the armor-plate controversy would have been eliminated from our politics. But it was not the purpose of those who could gain contributions from this combination to have the controversy eliminated. So long as they can continue this policy just so long can they get the funds—just so long can they secure the contributions.

I think the conferees ought to be instructed by this body to agree to nothing but the immediate construction of an armor-plate plant. Let us pay what we have to pay for the plates we must get before we construct a plant, and let us make the appropriation necessary to construct and make it at once. There ought to be no compromise upon any other foundation. If we start now, within one year we will have the plant, and in my opinion it will not cost half the profit that we will be compelled to pay upon the present needs of the Government, even at $445 a ton.

It is said that experts only shall be allowed to testify or to express an opinion upon this subject; but a man who is not an expert, a man who has not been engaged in the manufacture of steel or of steals, a man who has not made wire nails or wire, a man who is not engaged in the production of iron, can weigh evidence; and when the testimony comes to us from our own Navy Department that the plates can be made at a cost of $200 a ton, when our manufacturers, who are now holding us up, have sold the plate to European governments at $250 a ton, it seems to me we have a right to pass judgment upon this evidence, and there is no occasion for our deferring our judgment to the men who have been engaged in the steal industry.

The PRESIDENT pro tempore. The question is on disagreeing to the amendment of the House to the amendment of the Senate.

Mr. MORGAN. I do not understand the parliamentary situation here. The Senate has voted to insist on its amendments to this bill and to return it to the conferees.

Mr. HALE. No. Following that I moved that the Senate disagree to the House amendment to our amendment, and that is the question which is now before the Senate, and upon it the yeas and nays have been ordered.

Mr. MORGAN. Notwithstanding that the Senate has agreed and has voted to insist on its amendments.

Mr. HALE. Yes.

Mr. MORGAN. And refers the subject back to the conferees, so far as our vote is concerned.

Mr. CHANDLER. Not yet.

Mr. HALE. That has not been done.

Mr. MORGAN. That is the necessary effect.

Mr. HALE. It is when we complete the proceeding. When we disagree to their amendment and accede to the request for a further conference, then it goes to the conferees.

Mr. MORGAN. I have never before heard of the Senate taking up a House amendment or a House proposed amendment and disagreeing to it. I understand the proper procedure to be this——

Mr. HALE. I do not think it is customary, but undoubtedly it can be done.

Mr. MORGAN. It is not customary, and it is not parliamentary, in my judgment—a poor one, I confess; but at the same time I think I understand it to my own satisfaction. The proper proceeding in this case has been accomplished—that is to say, we insisted upon the amendments of the Senate, and the next motion would be to refer it back to the committee. The effect of the motion as it is now presented to the Senate, to disagree to the House amendment, is simply an adherence to what the Senate has done. In the parliamentary usage in regard to matters of this kind there is first a conference, a free conference, and after the report comes in, if the Senate insists upon its amendment, it is sent back for full and free conference. If the two Houses still disagree and the matter comes before the Senate, we can either further insist or we can adhere.

If we vote to adhere to our amendment, that loses the bill, unless the House concurs in our amendment. That is all of it. That is the true parliamentary situation. We have got the two motions mixed here, the effect of one of which is to adhere and the other to insist.

Mr. HALE. By no means, if the Senator will allow me. The motion to adhere is a formal, specific, well-recognized, and conclusive motion. It ends the matter. It puts a stop to the conference. There is no further conference where either body votes to adhere.

Mr. MORGAN. I have so stated.

Mr. HALE. Nothing of that kind is done. Only the motion which is customary, to insist on the Senate amendment and to disagree to the House amendment thereto, has been divided, and at Senators' request it is made in two motions. But it has no such effect as the Senator apprehends, of putting a stop to the conference or the effect of passing a vote to adhere. It goes back to the conference at once, and the other side sees what the feeling of the Senate is with regard to their amendment. It seemed to me, when the suggestion was made that the motion should be divided, that it was a fair suggestion; that it was parliamentary, because it did not take away any rights; and it does not in any way foreclose, I can assure the Senator, a further conference. It has no such effect, and I think the Chair would so rule upon it.

Mr. MORGAN. The Senator from Maine confesses that it is rather a novel proceeding.

Mr. HALE. I have said I do not think it is customary.

Mr. MORGAN. I do not think the Senator ever heard of it before.

Mr. HALE. I do not know that it has been done before.

Mr. MORGAN. I do not think he did.

Mr. HALE. I do not know that it has been done before, and yet I see no objection to it.

Mr. MORGAN. I do not think anybody else ever heard of it. If we get through this proceeding to-day, if this proposition is passed in the affirmative, we shall notify the House that we adhere to our amendment and therefore adhere to our disagreement to the amendment of the House, and that will be the effect of it. So we are proceeding—I am not objecting to it—in a way that will kill this bill unless the House recedes from its amendment to our amendment. The bill will go by the board.

Mr. ALLISON. Although I am not familiar with the rule, I think the parliamentary situation as respects this bill is this: We have now voted to insist upon our amendments in dispute, but we have not yet dealt with the House amendments to our amendments. Unless we take some action in respect to those amendments, the conferees will not have the whole subject-matter before them. Although, as the Senator from Maine says, it is not the usual proceeding, it is a necessary proceeding; and whenever it has been necessary, it has been passed upon by the Senate, but usually in one motion. I have made several motions of this character, when the House has amended an amendment of the Senate, and I have always asked that it be put in the form of insisting upon the Senate amendment and disagreeing to the House amendment.

Mr. HALE. One motion.

Mr. ALLISON. Yes; it has usually gone in one motion. I would myself very much have preferred that the motion should have been taken as a whole, because for myself I should be glad to concur in one of the amendments we are now voting to disagree to. That is the amendment relating to the surveys. I do not believe we should settle that question on an appropriation bill in this form. But inasmuch as the vote is to be taken upon both amendments, I am willing, in a pro forma way, to vote upon them as a disagreement, expressing my own views. So I do not think at all, if the Senator from Alabama will allow me, that the parliamentary situation is in the slightest degree changed by a yea-and-nay vote upon the proposition of disagreeing to the House amendment.

Mr. MORGAN. Mr. President——

Mr. CHANDLER. Will the Senator from Alabama allow me to say a word?

Mr. MORGAN. In insisting upon the amendment of the Senate, as we have done by a vote, we disagree to their amendment. The bill came over here. It originated there. The Senate amended it, and it has gone back, and the House has amended not only our amendment, but their own bill at the same time. In insisting upon our amendment, we disagree to the House amendment. That is clear and plain. That is the necessary effect.

Mr. HALE. The form is always the other way. We deal with both, first insisting upon our own amendments and disagreeing to their amendments thereto; but it has always been, as the Senator from Iowa says, put in one motion. We always incorporate the two.

Mr. CHANDLER. Will the Senator allow me to say a word, as I called for the yeas and nays?

Mr. MORGAN. Yes.

Mr. CHANDLER. I called for the yeas and nays simply in order to get an expression of the Senate to guide the conferees. The point I wanted the expression on was whether the Senate would be willing to give unlimited discretion to the Secretary of the Navy to make a price for armor. I should have been content to call the yeas and nays on the motion of the Senator as one motion—a motion to insist upon the Senate amendment and to disagree to the House amendment to the Senate amendment—but the Senator from Maine suggested that it could be divided. Therefore I yielded to him. I will be perfectly satisfied, if that will suit the Senator from Alabama any better, to have the yeas and nays taken on the motion to insist upon the Senate amendment and disagree to the House amendment to that amendment. That will be only one motion. We can have the yeas and nays on that.

Mr. MORGAN. Mr. President, I am not making any technical question about it at all. I merely wanted to state that in my opinion, and that is the view on which I shall give my vote on it, when we now, after insisting upon our own amendment, by a vote go further and say we disagree to the amendment of the House to the amendment of the Senate, it is an adherence, and that that ends the bill. And so I shall vote.

One other matter. I am not prepared to vote intelligently on this subject without asking some questions from the chairman of the committee, which I do in perfect sincerity and in order to get from that enlightened and proper source of knowledge certain facts about this business. I will ask the chairman of the committee what is now the cost per ton of steel for armor plate?

Mr. HALE. At what stage of manufacture?

Mr. MORGAN. Steel; steel ingots, of course.

Mr. HALE. Steel ingots?

Mr. MORGAN. Yes.

Mr. HALE. I can not tell the Senator.

Mr. MORGAN. He can not state it?

Mr. HALE. It is very small; I suppose about a cent and a half a pound; something like that.

Mr. MORGAN. About thirty-seven and a half dollars a ton?

Mr. HALE. A cent and three-quarters per pound.

Mr. MORGAN. Yes.

Mr. HALE. I do not know; I can not tell exactly.

Mr. TILLMAN. That would be after you had added the nickel. The crude steel, ordinary steel, Bessemer steel, could hardly be worth anything like that. That would be after you had added nickel. You would have to add nickel to make it $37 a ton.

Mr. MORGAN. The next question I desire information on is this: What is the cost per ton of the nickel or chrome or other foreign material that is used in the Harvey process and also in the Krupp process?

Mr. HALE. In the Krupp process I think they claim it is something more than $20.

Mr. MORGAN. How about the Harvey process?

Mr. HALE. I do not know.

Mr. MORGAN. The Senator does not know. In making armor plate at this date I understand it is not considered safe to make it unless you use the Harvey process and also the Krupp process or one or the other, the Krupp process being probably preferable. I understand that is true.

Mr. HALE. It is claimed that the Krupp process, of course hardens it more—hardens it deeper.

Mr. MORGAN. Yes.

Mr. HALE. It carries the hardening process farther into the plate.

Mr. BUTLER. But at the same time the Senator should state that the weight of the sheet of armor by the Krupp process is less than the weight by the Harvey process, they claim, and a thinner sheet will have the same resistance.

Mr. HALE. The last statement is true.

Mr. BUTLER. Therefore the difference in weight would make

up the difference in extra cost, as they claim, because for a hundred dollars you get more pounds.

Mr. MORGAN. The next question I wish to ask the Senator is this: What is the royalty on the Harvey process?

Mr. HALE. That has been disputed. It is half a cent a pound.

Mr. MORGAN. Half a cent a pound?

Mr. HALE. Yes; about $11 per ton.

Mr. MORGAN. Eleven dollars per ton. What is the royalty on the Krupp process?

Mr. HALE. It is claimed to be from forty-five to fifty dollars.

Mr. MORGAN. We have now got all the material that goes into armor plate. We have everything but the labor, the skill, the special information of persons who are supposed to be wiser than all the balance of the world in the manufacture of armor plate.

The object of my questions is to justify the statement made in 1897 in the report of the Hon. Hilary A. Herbert, then Secretary of the Navy. Mr. Herbert, as I am proud to say, is an Alabamian and one of great reputation for his conservatism and his integrity and his good sense and practical wisdom in the conduct of the Navy Department. He made a report here, a very excellent one, in which he adopted the highest figures that had been submitted to him by experts, persons of full knowledge on the subject in regard to this same matter about which I have been asking the chairman of the committee some questions. You have heard what the chairman said. Now, Mr. Herbert says, quoting from the Rohrer board, which examined into this subject:

The items constituting the heads under which the calculations of the Rohrer board were made are summarized as follows:

Materials in ingot	$30.13

Mr. BUTLER. A ton?

Mr. MORGAN. A ton:

Materials in ingot	$30.13
Materials consumed in manufacture	56.75
Labor	43.50
Keeping plant ready for use	9.80
Shop expenses	2.38
Office expenses and contingencies	3.34
Administration, superintendence, and engineering	21.40
Total	167.30

That is the total cost now of manufactured armor plate.

Mr. HANNA. What kind of plate?

Mr. MORGAN. The harveyized. The report is dated June 8, 1897. Mr. Herbert added a very slight increase upon certain items in that statement, bringing the whole total cost of a ton to $197.78. The statement made by the chairman of the committee to us to-day shows the cost as he understands it of this same material, including the royalty on the Harvey patent and also under the Krupp patent, and putting in every item of cost in this matter, of the material and of the patent royalty, which Mr. Herbert included, without noticing the labor that is necessary to be performed and the skill that is necessary to employ for the purpose of manufacturing this armor plate. So Mr. Herbert is fully justified, more than justified, making allowance for the increase through the prosperity of the country of the prices of this material and the price of labor, and making an allowance of three or four hundred per cent upon these prices, he is still, according to the statement of the chairman of the committee, justified in the estimates he made in 1897.

I can not see it in any other light than that it is an abuse of the United States, through a combination of armor-plate producers, which we ought to resent and resist, and if they have got the power over us to prevent us from building ships, if they can stop us, let them do it and take the responsibility. I think we have got ships enough now to fight all the battles in which we shall engage in the next seven or eight years, and whenever they make up their minds that they intend to force the United States to the establishment of an armor-plate factory, then they will find out and we will find out that we are independent of them, and that we have the power to conduct all the necessary operations of this Government without the assistance of a combination of corporations in this country.

The Senator from Connecticut was chairman of a committee of this body, called the "committee on war ships and ordnance," of which I had the honor to be a member also, and it was his suggestion that we should take the old navy-yard here and convert it into a gun factory. It was considered at that time to be a dangerous proposition and one wherein the Government of the United States would be exposed to great cost and peril in establishing it, but it was established. The guns have been made. They have fought the battles of the Spanish war. Better guns were never made in the world than are made right here in this gun factory in Washington. That is a perfect demonstration of the capacity of the Government of the United States safely and economically and successfully to conduct an establishment of this kind. And if we have to buy the steel billets from factories about over the United States, without putting up furnaces for the purpose of making the steel, and then we harveyize and kruppize them and we put our other material into them according to the scientific requirements of the occasion, we will have no greater difficulty in executing that matter than we have had in this gun factory.

It is exactly a parallel case. We have there the object lesson by which we can measure all of our dangers and all of our responsibilities and also the vast amount of profits saved to the Treasury of the United States against this combination. That is all I desire to say about it.

Mr. HALE. I am entirely willing, if the point of order troubles the Senator from Alabama, to have the Senate reconsider the vote by which it insisted on its amendments, and then have the vote on the whole proposition, which we can clearly do.

The PRESIDENT pro tempore. Does the Senator from Maine make that request?

Mr. HALE. Yes.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the vote by which the Senate further insisted upon its amendments may be reconsidered. Is there objection? The Chair hears none. Now the Senator from Maine renews his motion that the Senate insist upon its amendments and disagree to the House amendments to the amendments of the Senate.

Mr. HALE. That is right.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Maine.

Mr. CHANDLER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PENROSE. Mr. President, I should like to say one word before the question is put. I intend to vote with the chairman of the Committee on Naval Affairs in this matter. I do so not that I have any sympathy with the attitude taken by many Senators upon this question to-day in their disagreement with the House, but in the sincere hope that another conference may bring about a practical, businesslike, sensible adjustment of this most important and most complicated question. I therefore shall vote with him, not as any evidence of my conviction upon the question, but that the matter may again be got into conference, and perhaps solved in a satisfactory manner.

I desire again to call attention to the amendment which, by unanimous consent, I offered yesterday, which was laid on the table and which is printed to-day, and of which I have a copy. My amendment is that we shall adhere to the action of the Senate in adopting the report of the Committee on Naval Affairs, which committee adopted what is commonly known as the Vandiver amendment. That amendment provides that the Government of the United States shall contract at $545 a ton for the armor for the three ships at present being constructed, and the remainder of the armor required by the Government shall be contracted for at the figure of $445 per ton; and if the Secretary of the Navy is not able to get the armor at that figure, then he shall proceed to build an armor plant, and the appropriation of some $2,000,000 is made for that purpose.

Mr. BUTLER. I will say to the Senator that I think he has stated a little incorrectly the effect of the amendment. It was that the Secretary of the Navy should attempt to get a contract at $445, and that if he could not make a contract for all of it at $445, then he should be permitted to pay as high as $545 for the three ships now being constructed and proceed at once to build an armor factory.

Mr. TILLMAN. That is a correct statement.

Mr. PENROSE. The Senator is correct. I perhaps did not state the amendment as plainly as I might have done.

Now, Mr. President, in the opinion of most of the members of the Committee on Naval Affairs, that amendment was considered to be most ingeniously constructed to place the Government in command of the situation and at the same time to place a reasonable limitation upon the price of armor.

It has further been maintained by the Senator from New Hampshire and the Senator from South Carolina that the Krupp process is only a fiction and a pretext for further basis of extortion on the part of these companies, and that no royalty can be legally or fairly exacted in the manufacture of this improved armor. Therefore my amendment provides that the Government shall pay the royalty. I make no other alteration in the Vandiver amendment already adopted by the Senate but to alter the word "inclusive" and insert the word "exclusive," and to make two other verbal amendments. The amendment is closely in line with the action of the Senate; it is closely in line with what was thought wise and exedient by the Committee on Naval Affairs. I have also inserted an amendment which will doubtless meet the full approval of the Senator from South Carolina, and that is that in case an armor plant is considered necessary and expedient it shall be located in the District of Columbia.

Mr. PETTUS. Mr. President, I understand and I insist that an amendment at this stage of the proceedings is out of order.

The PRESIDENT pro tempore. The Chair does not understand that anyone has offered an amendment. The question is on the motion of the Senator from Maine [Mr. HALE], that the Senate further insist on its amendments and disagree to the House amendments to the amendments of the Senate, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. TURLEY (when his name was called). I have a general pair with the Senator from Wisconsin [Mr. SPOONER]; but I understand that if he were present he would vote "yea," and I will accordingly vote. I vote "yea."

Mr. WARREN (when his name was called). I ask if the Senator from Washington [Mr. TURNER] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. WARREN. I am paired with that Senator, and withhold my vote.

The roll call was concluded.

The PRESIDENT pro tempore (after Mr. FRYE had voted in the affirmative). The junior Senator from Maine is paired with the junior Senator from Arkansas [Mr. BERRY], but the junior Senator from Maine will allow his vote to stand.

Mr. MCMILLAN (after having voted in the affirmative). I inquire if the Senator from Kentucky [Mr. LINDSAY] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. MCMILLAN. I am paired with that Senator, and therefore withdraw my vote.

The result was announced—yeas 63, nays 0; as follows:

YEAS—63.

Aldrich,	Davis,	Kyle,	Quarles,
Allen,	Deboe,	McBride,	Rawlins,
Allison,	Fairbanks,	McComas,	Ross,
Bacon,	Foraker,	McCumber,	Scott,
Baker,	Foster,	McEnery,	Sewell,
Bate,	Frye,	McLaurin,	Shoup,
Beveridge,	Gallinger,	Mallory,	Simon,
Burrows,	Gear,	Martin,	Sullivan,
Butler,	Hale,	Mason,	Taliaferro,
Caffery,	Hanna,	Morgan,	Teller,
Chandler,	Hansbrough,	Penrose,	Thurston,
Clay,	Harris,	Perkins,	Tillman,
Cockrell,	Hoar,	Pettigrew,	Turley,
Culberson,	Jones, Ark.	Pettus,	Wellington,
Cullom,	Kean,	Pritchard,	Wetmore.
Daniel,	Kenney,	Proctor,	

NAYS—0.

NOT VOTING—23.

Bard,	Elkins,	McMillan,	Stewart,
Berry,	Hawley,	Money,	Turner,
Carter,	Heitfeld,	Nelson,	Vest,
Chilton,	Jones, Nev.	Platt, Conn.	Warren,
Clark,	Lindsay,	Platt, N. Y.	Wolcott.
Depew,	Lodge,	Spooner,	

So Mr. HALE'S motion that the Senate insist on its amendments and disagree to the House amendments to the amendments of the Senate was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. HALE, Mr. PERKINS, and Mr. TILLMAN were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 31st ultimo approved and signed the following act and joint resolution:

An act (S. 4615) to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the Territory of Hawaii and the United States; and

A joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain.

ORDER OF BUSINESS.

Mr. SEWELL. I move that the Senate proceed to the consideration of the Military Academy appropriation bill.

The PRESIDENT pro tempore. The Senator from New Jersey moves that the Senate proceed to the consideration of the West Point Academy appropriation bill.

Mr. GALLINGER. I call attention to the fact that there was a unanimous-consent agreement, made on the 28th day of May, that after the consideration of the sundry civil appropriation bill thirty minutes should be given to the Committee on Pensions for unobjected pension cases.

The PRESIDENT pro tempore. That is true; unanimous consent was given that thirty minutes shall be allowed for pension bills.

Mr. SEWELL. I appeal to the Senator from New Hampshire. We have two appropriation bills not yet passed; and if we are going to adjourn in any reasonable time, those bills ought to be passed in order to go into conference. There will be no trouble about passing the pension bills after the appropriation bills are out of the way.

Mr. GALLINGER. I wish to make an appeal in my behalf, and then perhaps we can make an adjustment.

I will say to the Senator that there are 200 pension bills on the Calendar and at least six Senators have brought bills to me to-day which have just passed the House, urging that they be reported. Almost every Senator and about one-half the Members of the House of Representatives are pursuing me about the Capitol and urging that these pension bills shall be passed in the near future; and in self-defense I have got to insist upon some consideration for this order.

I am quite willing to make an adjustment if I can get my time some time in the near future, but it will be remembered that when the sundry civil bill was under consideration the suggestion was made that it would take one day, and I think it took four days. I am willing to come here this evening, if the Senate will give me that privilege.

Mr. SEWELL. There are only two bills that ought to have preference above everything else—the Military Academy bill and the deficiency bill.

Mr. GALLINGER. There is no question about that. I recognize that fact.

Mr. SEWELL. I am willing that the Senate shall fix a time for the consideration of pension bills. In fact, I am anxious that it shall do so.

Mr. GALLINGER. I ask unanimous consent that at fifteen minutes past 5 o'clock this afternoon unobjected pension cases shall be considered for forty-five minutes.

Mr. SEWELL. I agree to that.

Mr. HALE. I do not want to object to that request, but what is very desirable to-day, as I said last night, in order to arrange conferences, is that not only the Military Academy appropriation bill shall be passed to-day, but the deficiency appropriation bill. If the Senator comes in and breaks up the afternoon, that will destroy the chance of passing the deficiency bill to-night.

Mr. GALLINGER. I will ask for a change of the unanimous-consent agreement so that one hour shall be given for the consideration of unobjected pension bills after the Military Academy appropriation bill and the deficiency appropriation bill shall have been considered, but I want to couple that with the suggestion that probably the pension bills that will then be passed will not become laws.

The PRESIDENT pro tempore. Will the Senate consent to this request of the Senator from New Hampshire?

Mr. HOAR. I desire to say something before consenting, if I may be permitted, as other Senators have been allowed. There is a measure from the Judiciary Committee in regard to the extradition of criminals who have committed offenses in Cuba and have fled to the United States. We are all of us responsible, with scarcely an exception, for the condition of things in Cuba. We all of us, with scarcely an exception, heartily approved the war and the policy which have driven Spain out of Cuba and which have put the United States in that island temporarily. I do not suppose there is any member of this body who does not consider that it would be a public scandal if American criminals, high or low, are to go to that island and plunder the people and, if they can get two or three hours ahead of detection, make their escape to this country as to an Alsatia.

Now, there is no hurry about the final adjournment. If we do not adjourn on Wednesday, we can adjourn on Thursday. It is not a session like the one when the 4th of March ends our constitutional power. It seems to me that the appropriation bills themselves ought to wait an hour or two until we can make an arrangement by which these criminals shall be sent back to Cuba.

Now, I shall not object to the request of the Senator from New Hampshire, which is to substitute, by unanimous consent, for a time already agreed on for the pension bills another time, which will be more convenient. But I do insist that the extradition bill ought to be pressed on the attention of the Senate, adjournment or no adjournment, appropriation bill or no appropriation bill, and passed at an early date.

Mr. GALLINGER. Mr. President, it is possible that I can make a suggestion that will better suit the convenience of the Senate. It is that a recess be taken at the close of this afternoon's session until 8 o'clock this evening, and that the time from 8 until 9 o'clock this evening be given to the consideration of unobjected pension bills, no other business to be transacted.

Mr. HALE. I would not object to that except that I may have to ask the Senate, as I shall, to stay here until 7 or 8 o'clock in order to pass the deficiency bill to-night. There will be no chance for a recess.

Mr. GALLINGER. Very well; there is objection, and I will leave it as formerly stated.

The PRESIDENT pro tempore. Does the Senator make any request now?

Mr. ALDRICH. It has been agreed to.

Mr. CHANDLER. Does the Senator from Maine ask to have a session to-night?

Mr. MASON. I call for the regular order.

The PRESIDENT pro tempore. Does the Senator from New Hampshire make a request?

Mr. GALLINGER. I made a request, which I understand is not agreed to. I ask that the unanimous-consent agreement be changed so that the Pension Calendar shall be taken up for one hour at the conclusion of the consideration of the Military Academy bill and the deficiency bill.

Mr. BUTLER. I ask the Senator to include the emergency river and harbor bill.

Mr. GALLINGER. If I do that I will never get the pension bills through.

Mr. CULLOM. There will be plenty of time for that bill.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the unobjected pension cases may be considered after the West Point bill and the deficiency bill are disposed of. Is there objection?

Mr. ALDRICH. For one hour.

The PRESIDENT pro tempore. For one hour. Is there objection?

Mr. MASON. I object. I call for the regular order. I objected twice. There has been unanimous consent given to take thirty minutes now for the pension bills, and they are more important than some other measures that are being pressed. Thirty minutes will not injure business, and we have agreed upon it, and I object to a change of the unanimous-consent agreement.

Mr. HALE. Mr. President——

Mr. MASON. I call for the regular order.

The PRESIDENT pro tempore. What is the regular order?

Mr. MASON. The regular order is the unanimous consent given to take up the pension bills at this hour, as I understand it.

Mr. HALE. Not at this hour.

Mr. SEWELL. The regular order is the Military Academy appropriation bill.

Mr. MASON. The pension bills were to be taken up immediately after finishing the appropriation bill that has just been finished.

Mr. HALE. That appropriation bill was finished last night. That order has lapsed.

Mr. GALLINGER. I shall not concede that. The Senator has an easy way of disposing of parliamentary matters. I stated last evening——

Several SENATORS. Let the agreement be read.

Mr. GALLINGER. Let it be read. Of course if we are going to be technical, somebody can make a motion.

Mr. KYLE. Have we finished the morning business yet?

The PRESIDENT pro tempore. Morning business is not in order now. It can only be received by unanimous consent.

Mr. KYLE. I ask for unanimous consent.

The PRESIDENT pro tempore. By unanimous consent the Secretary will read the unanimous-consent agreement that was given touching pension bills. The Chair does not make any ruling about unanimous-consent agreements. It is not in his power to do it. The Senate determines it.

Mr. HALE. Let the Senator from New Hampshire go on with the pension bills now. We have already spent thirty minutes.

Mr. CULLOM. Yes; go on now.

Mr. HALE. Let the Senator go on now. Let the Senator from New Jersey get his bill up and then yield.

Mr. SEWELL. The appropriation bill has been taken up, I understand.

Mr. HALE. Let us go on with the pension bills for thirty minutes.

The PRESIDENT pro tempore. Without objection, the West Point appropriation bill is before the Senate. The Senator from New Jersey yields to the unanimous-consent order of the Senate given for the consideration for thirty minutes of pension bills on the Calendar. Will the Senator from New Hampshire consent that morning business may be received? If it is not now received, it will be dribbling all day long.

Mr. GALLINGER. Certainly, if it is not taken out of the thirty minutes.

The PRESIDENT pro tempore. Reports of committees are first in order.

REPORTS OF COMMITTEES.

Mr. THURSTON, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 10899) to restore to the public domain a small tract of the White Mountain Apache Indian Reservation, in the Territory of Arizona, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9389) to authorize the Seneca Telephone Company to construct and maintain lines in the Indian Territory, reported it without amendment.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (S. 4834) granting a pension to Otto Haltnorth, reported it with an amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1930) for the relief of the legal representatives of John Boyle, deceased, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 9047) to incorporate the Washington Telephone Company and to permit it to install, maintain, and operate a telephone plant and exchanges in the District of Columbia, to report it without expression of opinion.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 9701) granting a pension to Jonah Duncan, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4587) granting an increase of pension to Cora Van D. Chenoweth, reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Pensions, to whom was referred the bill (S. 2879) granting a pension to Mary E. Griffiths, reported it without amendment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (S. 4208) for the relief of George K. Bowen, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2214) to remove the charge of desertion from the military record of Thomas H. Thorp and William Mullally, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

EXCLUSION FROM SUFFRAGE.

Mr. CHANDLER. I report from the Committee on Privileges and Elections a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Committee on Privileges and Elections be instructed to inquire and report whether an enactment, by constitution or otherwise, by any State which confers the right to vote upon any of its citizens because of their descent from certain persons or classes of persons, and excludes other citizens because they are not descended from such persons or classes of persons, the persons so excluded having all other qualifications prescribed by law, is in violation of the Constitution of the United States and of the fundamental principle of our republican form of government; and also whether citizens so excluded can lawfully be reckoned in determining the number of Representatives from any State in the House of Representatives of the United States.

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

Mr. TURLEY. I object to the present consideration of the resolution. It is not a report of the entire committee, and I ask that it go over or go on the Calendar.

Mr. CHANDLER. I ought to have stated that it is the report of a majority of the committee. In view of the statement made by the Senator from Tennessee, if there is objection, I will ask that the resolution may go upon the Calendar.

The PRESIDENT pro tempore. The resolution goes to the Calendar.

BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 4916) for the relief of William Wheeler Hubbell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. LODGE introduced a bill (S. 4917) for the relief of George T. Sampson; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM. I ask leave to introduce a bill with an accompanying document. I desire to say that I introduce it by request simply, and I ask that it be referred to the Committee on Relations with Cuba.

The bill (S. 4918) to authorize the Secretary of War to constitute a department of marine in the insular government of the island of Cuba, and to reopen to commerce the arsenal at Havana under the charge of a competent insular officer, was read twice by its title, and referred to the Committee on Relations with Cuba.

Mr. SULLIVAN introduced a bill (S. 4919) for the relief of Lytle A. Rather, administrator of the estate of William B. Lumpkin, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4920) for the relief of W. A. Sanford, administrator of the estate of H. B. Bloxam, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 4921) for the relief of W. E. Davis; which was read twice by its title, and referred to the Committee on Claims.

Mr. McBRIDE introduced a bill (S. 4922) to establish a standard

of wages for women employed by the Government; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 4923) granting a pension to Alonzo Sabin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4924) granting a pension to Adella M. Anthony; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. THURSTON introduced a bill (S. 4925) granting an increase of pension to Benjamin Contal; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (H. R. 11881) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. McENERY submitted an amendment relative to an appropriation to pay the claim of Nehemiah Harvey and others, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TURNER submitted an amendment proposing to appropriate $220,674.24 to pay amounts found by commissioners of the Court of Claims to be due to letter carriers under the act of May 24, 1888, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

DISPOSITION OF THE RENAULT GRANT.

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

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate if there is any money in the Treasury, the proceeds in whole or in part of the sale to Lynn and Pratt, or any other person or persons, of the Mine LaMott, in the State of Missouri, embracing about 23,040 acres, and the Little Marame tract of land in the State of Illinois, embracing about 11,520 acres and, if so, how much, when and under what circumstances it was deposited. And the Secretary of the Treasury be, and he is hereby, further directed to inform the Senate of the full history of the grants, transfers, and sale or sales of said tracts of land, respectively, to date, said lands having originally been granted about the year 1740 to one Phillip Francis Renault.

CHARLES GALLAGHER.

Mr. CHANDLER. At the suggestion of the Committee on Claims, I offer a resolution, and ask for its immediate consideration.

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

Resolved, That the bill (S. 1623) entitled "For the relief of Charles Gallagher, of New York, and to refer his claims to the Court of Claims," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

INDUSTRIAL COMMISSION TESTIMONY.

Mr. KYLE. Mr. President, inasmuch as there has been considerable criticism of the action of the Industrial Commission with reference to the so-called Lockwood testimony, I should like to have incorporated in the RECORD, in addition to what I incorporated the other day, a letter from Professor Jenks, of Cornell University. He is the expert agent of the Industrial Commission touching the trust question and has written a letter covering the whole of the question. He had been instructed by the commission to go over this testimony, by line and by paragraph, with Mr. Lockwood. This he did, and this is his letter explaining the whole situation.

The PRESIDENT pro tempore. What does the Senator request?

Mr. KYLE. I should like to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ITHACA, N. Y., *May 31, 1900.*

DEAR SENATOR: I see in the papers of yesterday and to-day some statements regarding the alleged suppression of Mr. Lockwood's testimony. I edited all that testimony myself, went through it very carefully indeed two or three times, and discussed the whole matter thoroughly with Mr. Lockwood. The accounts in the paper are very decidedly mistaken. In the first place, the only thing that was suppressed at all was the direct attack upon Judge Haight, of the court of appeals of the State of New York. Lockwood had practically charged that Haight had been bought by the Standard Oil Company, and that his election to the court of appeals had been brought about through the corrupt influences of the Standard Oil Company. When he was asked if he had any facts on which to base this charge, he acknowledged that the opinion was based simply upon general rumor and the general charges made at the time of the campaign. He had no specific knowledge whatever of a personal nature.

Under those circumstances the commission thought it wrong to circulate, at the Government's expense, what was presumably an actionable libel as long as Mr. Lockwood himself distinctly acknowledged that he had no definite information on the subject. He was told repeatedly that if he had definite information it would be printed. On the other hand, he was allowed to make statements, in general, to the effect that the Standard Oil Company had, in his judgment, bribed the courts and secured the election of judges to the higher courts. (Page 389.)

The statement in the New York Times of May 30 that everything relating to the case of Matthews was stricken out is a mistake. The whole story of Matthews is retained in the testimony on page 389, with the exception of the specific reference to Judge Haight.

It is also stated in this same paper that "Lockwood argued that the Standard Oil Company could not be attacked so long as it had the cooperation of the railroads, and that therefore the only remedy against trusts was Government ownership of the railroads. Every allusion of Lockwood to this remedy was stricken out." This statement is distinctly not true. Allusions of Lockwood to this remedy are in the testimony on pages 391, 392, 394. Every allusion that Lockwood himself made to that remedy or to any other remains still in the testimony.

It is possible that Lockwood's own report of his testimony shows one or two of these minor matters that are apparently stricken out. The explanation of that is this: That Lockwood's own report of his testimony is an incorrect one, or, at any rate, it is one that differs from the report given by our stenographers. Mr. Lockwood, I presume, published his report as that paper was written. On the other hand, all of those who heard Mr. Lockwood give his testimony know that he read his paper in what he would call, I suppose, a decidedly oratorical style, frequently raising his eyes, making elaborate gestures, inserting remarks not in the paper, or replying to questions, and then afterwards going back to his manuscript. In more than one instance where he said that words or expressions had been omitted, I not merely compared the stenographers' report very carefully and found from that that the words had never been uttered, but I took especial pains to have the stenographers bring me their original notes and read those parts over again so as to be certain that Lockwood had never used those expressions in the presence of the commission. The fact is plainly this: That in his oratorical efforts in addressing the commission and the public at large he looked away from his manuscript, and when he returned to the manuscript he inadvertently skipped a sentence or so. I did not feel at liberty to insert matter that did not appear at all in the stenographers' notes.

On the other hand, there was nothing of that kind that was of any consequence omitted, nor anything that in the least affected the full expression of his opinions. The parts omitted on that ground may possibly have been rather more emphatic statements than some that he put in, but there was absolutely nothing new in the idea. A statement is made again in the Times in the following words: "Another evidence of discrimination was shown in the editing of the following: 'What is the remedy?' 'The control of the public highways is the most important duty of the Government.' The commission left the question standing and struck out the answer." That is wrong. On page 391 of the testimony this passage appears as follows: "What is the remedy?" "Take the railroads away from the corporations; make them public property; let the Government own and run them; make them highways over which the people can go to market upon even terms."

Whatever Mr. Lockwood says that he said in answer to the question, this is what he really did say, according to the stenographers, and this is all reported. In another place, where he asks the same question, the report appears as follows (page 388): "Now, what is the remedy?" "*There is practically no remedy in the courts*; they are too slow and expensive. These great railway combinations in cooperation with the trust organizations can 'razoo' a man up and down through the courts from one to another for ten long years, until he is financially exhausted and his business ruined." The simple fact in the matter is this: The only thing that was suppressed in Mr. Lockwood's testimony was an actionable libel against one of the members of the court of appeals of the State of New York, which Mr. Lockwood himself before he left the stand confessed was uttered without any knowledge on his own part, but was a mere repetition of a campaign rumor.

There were two or three other places where mere repetitions of his were shortened; presumably others were slightly changed where grammatical errors occurred owing to carelessness in utterance as he was speaking extemporaneously, but there is absolutely no other case where there is the slightest change in meaning of anything that Mr. Lockwood said. Knowing Mr. Lockwood's disposition on this subject, and having reason to believe the fact that even contrary to what was apparently his judgment after I had talked the matter over with him, he was being pushed forward to make this trouble by Mr. Martin, who had failed of an appointment by the commission which he had wished to secure, and by some others apparently who had presumably political partisan ends to serve, I retained every scrap of the original notes of the testimony, retained Mr. Lockwood's own copy of the report as printed, with all of the changes made in it. I am positive that in fifteen minutes I can convince any committee of the Senate or any fair-minded Senator to whatever party he belongs, that Mr. Lockwood's testimony was edited in an absolutely fair way.

The only failure of the Industrial Commission in the trust investigation was not a failure that was due in any sense to any partisan feelings, but was due to the fact that Congress had apparently not given the commission sufficient power as regards the summoning of witnesses. It was a matter of doubt as to whether, if witnesses refused to appear, they could be punished for contempt. On that account, as well as from courtesy, the commission invited witnesses, and in no case issued a supœna. In two or three cases witnesses refused to come, and the commission thought it unwise to attempt to force them when their counsel advised them that it might be impossible to compel their attendance. Two witnesses who did not come were J. Pierpont Morgan and Mr. Henry Seligman.

Their testimony was wanted in connection with the financiering of the Federal Steel Company and of the American Steel and Wire Company. The commission did not push the matter to an issue, because it did not wish to take any risk of failure in so doing. It would be wise if the commission is extended to make this question of its power over witnesses an absolutely sure one. The chances are that it has some power that way now, beyond the mere reporting to Congress, but that is not certain. I should like to say that I know that in no case did partisanship have anything whatever to do with determining the witnesses that should be summoned, or with their examination. I know this, because, generally speaking, the witnesses were summoned whom I recommended. In most cases I did not know what their party affiliations were, and in no case did I care.

If you will have Mr. Durand or Mr. Edgerton look up the original notes on Lockwood's testimony, you will find these statements that I have made borne out; or I could myself come to Washington and straighten the matter up, if it were necessary. I think, however, that the material is in such shape that

Durand could do it just as well, and it is very difficult for me to get away just at examination time.

Very sincerely, yours, JEREMIAH W. JENKS,
Expert Agent.

Senator JAMES H. KYLE,
Senate Chamber, Washington, D. C.

EXTRADITION WITH CUBA.

The PRESIDENT pro tempore. The first pension case on the Calendar will be stated.

Mr. FAIRBANKS. If the Senator from New Hampshire, the chairman of the Committee on Pensions [Mr. GALLINGER], will allow me, I wish to give notice that after the Senate has concluded the consideration of the Military Academy appropriation bill, in charge of the Senator from New Jersey [Mr. SEWELL], I shall ask unanimous consent for the consideration of House bill 11719, being the extradition bill.

Mr. FAIRBANKS subsequently said: A few moments ago I gave notice that after the conclusion of the consideration of the Military Academy appropriation bill I would ask for the consideration of the extradition bill. I understand that the Senator from Maine desires to bring before the Senate the general deficiency appropriation bill as soon as the Military Academy bill is concluded. I will ask unanimous consent that the extradition bill may be the regular order——

Mr. ALDRICH. To be taken up.

Mr. HALE. That it be taken up.

Mr. FAIRBANKS. I ask unanimous consent that it be taken up after the general deficiency bill is passed.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Is there objection to the request made by the Senator from Indiana? The Chair hears none, and it is so ordered.

PENSIONS TO EX-CONFEDERATES.

Mr. GALLINGER. I ask unanimous consent that Order of Business 608, being the bill (S. 2500) for the repeal of section 4716 of the Revised Statutes, may be included in the order just made. It is a pension bill. If any debate is precipitated, I will withdraw it. It has been reported by the Committee on Pensions with an amendment.

The PRESIDENT pro tempore. Does the Senator want that bill considered now?

Mr. GALLINGER. I should like to have it included in the order and considered now.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill (S. 2500) for the repeal of section 4716 of the Revised Statutes.

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

Mr. STEWART. I do not object, but I want to know what it is.

Mr. GALLINGER. There is an amendment reported by the committee.

Mr. COCKRELL. Let the amendment be read.

Mr. GALLINGER. Let the amendment be read, and then I shall make a brief explanation regarding the bill.

The PRESIDENT pro tempore. The amendment reported by the Committee on Pensions will be stated.

The Secretary read the amendment reported by the Committee on Pensions, which was, after the word "repealed," at the end of the bill, to add:

Provided, however, That no name of any pensioner which may have been dropped from the rolls under the provisions of this section shall be restored thereto, nor that of any person whose application for pension has been rejected, or who may hereafter apply for pension, shall be placed thereon prior to the date of filing an application after the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the provisions of section 4716, Revised Statutes, be, and the same are hereby, repealed: *Provided, however*, That no name of any pensioner which may have been dropped from the rolls under the provisions of this section shall be restored thereto, nor that of any person whose application for pension has been rejected, or who may hereafter apply for pension, shall be placed thereon prior to the date of filing an application after the passage of this act.

Mr. GALLINGER. Mr. President, I intend to briefly explain the bill, which, I think, will not take many minutes. If there shall be objection to it, I shall withdraw it.

Section 4716 of the Revised Statutes provides that—

No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in or aided or abetted the late rebellion against the authority of the United States.

On March 3, 1877, that enactment was amended so as to provide that those who voluntarily left the Confederate service and came to the Union service should be exempt. We have passed through the Senate at this session an act exempting the dependent children of soldiers of the Confederate army. This simply repeals that statute, but provides that as to those who might have had a pension under the laws had this statute not existed, and who shall make a new application, the pension shall commence from the time of filing that application.

Mr. SULLIVAN. I should like to have that bill go over so that I may have an opportunity to examine it.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER subsequently said: The Senator from Mississippi [Mr. SULLIVAN] has withdrawn his objection to Senate bill 2500, and I ask that its consideration be resumed.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The bill has been read, and also the amendment reported by the Committee on Pensions. The question is on agreeing to the amendment.

Mr. GALLINGER. I desire to amend the amendment of the committee by striking out the word "this," at the end of line 6, and inserting "such;" so as to read:

Dropped from the rolls under the provisions of such section shall be restored, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

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

Mr. TILLMAN. Mr. President, when this unanimous consent was given to the consideration of pension bills at a certain time, I gave notice that I should object to the consideration of all House bills, simply because I felt aggrieved at the action of the House on a bill increasing the pension of an old Mexican veteran who lost an arm in 1847, upon which I have been unable to get any favorable action in the body sitting at the other end of the Capitol. After maturely considering the matter—and I have had the toothache this week, so that I have had a great many sleepless hours and full opportunity to think over my sins and those of other people [laughter]—I decided that such action on my part would be unwarranted, for this reason:

The committee which has charge of the bill which I had sent to the other end of the Capitol is not the committee which sends these bills here; it is an entirely different committee from the one against which I have a grievance, if there be one. I have decided, further, that by refusing to allow these bills to go through I would be working an injury or a wrong, perhaps, to persons who were meritorious and deserving of an increase of pension. Moreover, it occurred to me that I would be trying to wreak vengeance on innocent parties. As I never did admire the dog in the manger, I have concluded that I would withdraw my opposition and let the bills go through, and depend on the good sense and the sense of fairness and justice of the House in dealing with these questions when they get a chance, and I am sure they will get a chance at some time.

JOSEPH B. M'GAHAN.

The bill (H. R. 10581) granting a pension to Joseph B. McGahan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph B. McGahan, late of Company C, Thirty-second Regiment Enrolled Missouri Militia, and to pay him a pension of $12 per month.

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

RUSSELL L. MOORE.

The bill (H. R. 9826) granting an increase of pension to Russell L. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Russell L. Moore, late first lieutenant and adjutant, Seventh Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

PATRICK O'DONNELL.

The bill (H. R. 6990) granting a pension to Patrick O'Donnell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick O'Donnell, late of Company K, Fifth United States Infantry, and to pay him a pension of $12 per month.

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

CHARLES F. WINCH.

The bill (H. R. 538) granting an increase of pension to Charles F. Winch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles F. Winch, late first lieutenant Company K, Sixth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

DAVID H. INGERSON.

The bill (H. R. 5549) granting an increase of pension to David H. Ingerson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David H. Ingerson, late of Company K, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

LIZZIE B. LEITCH.

The bill (H. R. 6352) granting a pension to Lizzie B. Leitch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lizzie B. Leitch, widow of Robert Rose Leitch, late chief engineer, United States Navy, and to pay her a pension of $25 per month.

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

ROBERT PATTERSON.

The bill (H. R. 7588) granting a pension to Robert Patterson, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Patterson, late a nurse in the Medical Department, United States Volunteers, and to pay him a pension of $12 per month.

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

MARGARET J. KIBBLE.

The bill (H. R. 8992) granting a pension to Margaret J. Kibble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Kibble, widow of Joseph A. Kibble, late of Company H, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $8 per month.

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

GEORGE B. ABBOTT.

The bill (H. R. 10412) granting an increase of pension to George B. Abbott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Abbott, late of Company G, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

HERBERT J. GRAFF.

The bill (H. R. 10870) granting a pension to Herbert J. Graff was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Herbert J. Graff, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry; Company F, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and Company D, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $17 per month.

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

JOSEPH H. SPARKS.

The bill (H. R. 3082) granting an increase of pension to Joseph H. Sparks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Sparks, late of Company K, One hundred and thirty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

BYRON F. DAVIS.

The bill (H. R. 5804) granting a pension to Byron F. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron F. Davis, late first lieutenant and adjutant, One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

TIMOTHY A. LEWIS.

The bill (H. R. 8404) granting an increase of pension to Timothy A. Lewis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Timothy A. Lewis, late of Company F, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

CHRISTOPHER COSTELLO.

The bill (H. R. 8476) granting a pension to Christopher Costello was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Christopher Costello, late ordinary seaman, United States Navy, and to pay him a pension rated according to the degree of his disability from injury of head and epilepsy.

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

STELLA B. ARMSTRONG.

The bill (H. R. 9175) granting an increase of pension to Stella B. Armstrong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Stella B. Armstrong, widow of Maj. Frank C. Armstrong, Thirty-second United States Volunteer Infantry, and to pay her a pension of $35 per month in lieu of that she is now receiving.

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

ARIANA F. WILLS.

The bill (S. 3669) granting an increase of pension to Ariana F. Wills was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out the article "a;" in line 7, after the word "lieutenant," to strike out "of the;" and in the same line, after the word "Twenty-second," to insert "Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ariana F. Wills, widow of John Howard Wills, late first lieutenant, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of $36 per month in lieu of that she is now receiving.

The amendments were agreed to.

Mr. GALLINGER. In line 8, before the word "dollars," I move to strike out "thirty-six" and insert "twenty-five;" and in line 9, after the word "month," to insert the words "and $2 per month additional for the minor child of said John Howard Wills until said child reaches the age of 16 years."

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.

ELIZABETH J. FIELDS.

The bill (H. R. 8592) granting a pension to Elizabeth J. Fields was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth J. Fields, dependent mother of Robert J. Fields, late private, Company D, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of $12 per month.

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

JESSE F. GATES.

The bill (S. 4742) granting an increase of pension to Jesse F. Gates was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Battery," to strike out "private, Light" and insert "of;" in line 7, before the word "Artillery," to insert "Regiment United States;" and in the same line, after the word "Artillery," to strike out "United States Army;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse F. Gates, late of Battery A, Second Regiment United States Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

JAMES M. BARRETT.

The bill (H. R. 8044) granting an increase of pension to James M. Barrett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Barrett, late of Company K, Twenty-sixth Regiment New York

Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

WILLIAM A. HEMPSTEAD.

The bill (H. R. 9775) granting an increase of pension to William A. Hempstead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Hempstead, late of Company H, Twenty-fifth Regiment Connecticut Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

ALICE WORTHINGTON WINTHROP.

The bill (S. 4259) granting an increase of pension to Alice Worthington Winthrop was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice Worthington Winthrop, widow of William Winthrop, late colonel and assistant judge-advocate-general, United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

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.

ANNA E. LITTLEFIELD.

The bill (S. 4191) granting a pension to Anna E. Littlefield was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna E. Littlefield, widow of Milton S. Littlefield, late colonel Twenty-first Regiment United States Colored Volunteer Infantry, and brevet brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

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

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

ALBERT A. ROBERTS.

The bill (S. 4548) granting an increase of pension to Albert A. Roberts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert A. Roberts, late of Company C, Twenty-third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ALVIN N. SABIN.

The bill (S. 2202) granting an increase of pension to Alvin N. Sabin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "captain" and insert "first lieutenant Company K, and captain Company C;" in line 7, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry;" and in line 9, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin N. Sabin, late first lieutenant Company K, and captain Company C, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

FRANCES E. CHILDS.

The bill (S. 4296) granting an increase of pension to Frances S. Childs was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Childs," to strike out the initial "S." and insert "E.;" in the same line, before the name "Jonathan," to strike out "Colonel," and in line 7, after the word "late," to strike out "of the" and insert "colonel;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances E. Childs, widow of Jonathan W. Childs, late colonel Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Frances E. Childs."

CHARLES H. ADAMS.

The bill (H. R. 602) granting an increase of pension to Charles H. Adams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "Adams," to insert the initial "H.;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Adams, late of Company C, First Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

EDWIN HURLBURT.

The bill (H. R. 3513) granting a pension to Edwin Hurlburt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin Hurlburt, late captain Company C, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $12 per month.

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

HERMAN S. SOULES.

The bill (H. R. 9236) granting an increase of pension to Herman S. Soules was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Herman S. Soules, late of Company F, Twenty-fifth Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ELIZABETH S. SEYMOUR.

The bill (H. R. 10719) granting an increase of pension to Elizabeth S. Seymour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth S. Seymour, widow of George W. Seymour, late of Company B, Seventeenth Regiment Connecticut Volunteer Infantry, and to pay her a pension of $24 per month in lieu of that she is now receiving.

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

CLARISSA CARRUTH.

The bill (H. R. 2020) granting a pension to Clarissa Carruth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clarissa Carruth, widow of Sumner Carruth, late lieutenant-colonel Thirty-fifth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $30 per month.

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

BERTHA G. KIMBALL.

The bill (H. R. 10455) granting an increase of pension to Bertha G. Kimball was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bertha G. Kimball, widow of Frederick C. Kimball, late first lieutenant and regimental quartermaster of the Fifth United States Infantry, and to pay her a pension of $22 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said Frederick C. Kimball until they reach the age of 16 years.

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

ISAAC N. JENNINGS.

The bill (H. R. 4424) granting a pension to Isaac N. Jennings, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac N. Jennings, late of Company E, First Regiment Connecticut Volunteer Infantry, and to pay him a pension of $12 per month.

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

ROBERT ANDERSON, JR.

The bill (H. R. 8536) granting an increase of pension to Robert Anderson, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Anderson, jr., late of Company B, Fourth Regiment Maine Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

ALICE DE VECCHJ.

The bill (H. R. 8475) granting an increase of pension to Alice de Vecchj was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "de Vecchj," to strike out "Archille" and insert "Achille;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice de Vecchj, widow of Achille de Vecchj, late captain, Ninth Battery Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

FRANKLIN KERSTING.

The bill (S. 2163) granting a pension to Franklin Kersting was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "a member;" in line 7, before the word "Ohio," to insert "Regiment;" and after the word "Ohio" to strike out "Volunteers" and insert "Volunteer Infantry;" and in line 9, after the word "of," to strike out "the pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin Kersting, late of Company E, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Franklin Kersting."

ELIJAH BIDDLE.

The bill (H. R. 1801) granting an increase of pension to Elijah Biddle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Biddle, late private, Company E, Second Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $30 a month in lieu of that he is now receiving.

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

HENRY O'CONNOR.

The bill (H. R. 8888) granting an increase of pension to Henry O'Connor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry O'Connor, late major Thirty-fifth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 a month in lieu of that he is now receiving.

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

ELLEN V. M'CLEERY.

The bill (H. R. 1748) granting a pension to Ellen V. McCleery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen V. McCleery, widow of Samuel McGill, late of Company E, Seventh Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month.

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

WILLIAM E. FERREE.

The bill (S. 2913) granting an increase of pension to William E. Ferree was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Ferree, late of Company M, Fourth Regiment Iowa Cavalry Volunteers, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

SAMUEL Z. MURPHY.

The bill (S. 2915) granting an increase of pension to Samuel Z. Murphy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Z. Murphy, late of Company D, Thirtieth Regiment Iowa Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

CYRUS A. B. FOX.

The bill (S. 63) granting a pension to Cyrus A. B. Fox was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrus A. B. Fox, late of Company H, Eighty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

The 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 granting an increase of pension to Cyrus A. B. Fox."

THOMAS WHITE.

The bill (S. 4178) granting a pension to Thomas White was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas White, late of Company F, Ninetieth Regiment Illinois Volunteer Infantry, and United States Signal Corps, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

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

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

JAMES COOPER.

The bill (H. R. 852) granting an increase of pension to James Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Cooper, late of Company B, Ninety-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

SYLVESTER DOSS.

The bill (H. R. 7186) granting an increase of pension to Sylvester Doss, alias Harry S. Doss, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sylvester Doss, alias Harry S. Doss, late pilot of the ram *Lancaster*, Mississippi Marine Brigade, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MARY A. FULLERTON.

The bill (H. R. 6091) granting a pension to Mary A. Fullerton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Fullerton, widow of Hugh S. Fullerton, late first lieutenant Company C, First Regiment Ohio Volunteer Heavy Artillery, and to pay her a pension of $17 per month.

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

HENRIETTA P. COTTER.

The bill (H. R. 9419) granting a pension to Henrietta P. Cotter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henrietta P. Cotter, widow of John S. Cotter, late captain Company K, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and to pay her a pension of $20 per month.

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

OLIVER M. BROWN.

The bill (H. R. 7852) granting an increase of pension to Oliver M. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oliver M. Brown, late major Third Regiment Ohio Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MATILDA REEVES.

The bill (H. R. 5695) granting a pension to Matilda Reeves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matilda Reeves, widow of Manasseh Reeves, late of Company I, Twenty-eighth Regiment Illinois Volunteer Infantry, and to pay her a pension of $8 per month.

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

WILLIAM H. WENDELL.

The bill (H. R. 6425) granting an increase of pension to William H. Wendell, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Wendell, late captain and assistant quartermaster, United States Volunteers, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

DANIEL METCALF.

The bill (H. R. 8235) granting an increase of pension to Daniel Metcalf was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Metcalf, late of Company B, Sixtieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

JAMES M. DENNISON.

The bill (H. R. 8236) granting an increase of pension to James M. Dennison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Dennison, late of Company F, Forty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

SARA H. M. MILEY.

The bill (H. R. 8885) granting an increase of pension to Sara H. M. Miley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sara H. M. Miley, widow of John D. Miley, late lieutenant-colonel and inspector-general, United States Volunteers, and to pay her a pension of $40 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said John D. Miley until they reach the age of 16 years.

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

ANNA C. WHITE.

The bill (H. R. 10143) granting a pension to Anna C. White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna C. White, widow of Thornton F. White, late acting assistant surgeon, United States Army, and to pay her a pension of $12 per month.

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

JOSEPH H. HAMRICK AND ELLA G. HAMRICK.

The bill (H. R. 3869) granting a pension to Joseph H. Hamrick and Ella G. Hamrick was considered as in Committee of the Whole. It proposes to place on the pension roll the names of Joseph H. Hamrick and Ella G. Hamrick, the blind and helpless children of Thomas H. Hamrick, late of Company K, Forty-fifth Regiment Kentucky Volunteer Infantry, and to pay them each a pension of $12 per month.

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

MARGARET THORNBERRY.

The bill (H. R. 9752) granting a pension to Margaret Thornberry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Thornberry, widow of Samuel Milligan, late of Company I, Eleventh Regiment Indiana Volunteer Cavalry, and to pay her a pension of $12 per month.

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

JAMES A. ROOT.

The bill (H. R. 2726) granting a pension to James A. Root was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Root, late a member of Company K, Thirty-fifth Regiment Kentucky Volunteer Mounted Infantry, and to pay him a pension of $20 per month.

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

LEVI G. WILGUS.

The bill (H. R. 3495) granting an increase of pension to Levi G. Wilgus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi G. Wilgus, late of Company F, Fourteenth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

BARTON ACUFF.

The bill (H. R. 5929) granting an increase of pension to Barton Acuff, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Barton Acuff, late member of Company G, Fourth Regiment Indiana Volunteers in the Mexican war, and to pay him a pension of $16 per month in lieu of that he is now receiving.

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

WILLIAM SHULMIRE.

The bill (H. R. 8211) granting an increase of pension to William Shulmire was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Shulmire, late of Company E, Seventy-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

RICHARD HARDEN.

The bill (H. R. 10612) granting an increase of pension to Richard Harden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Harden, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

EVA CLARK.

The bill (S. 1588) granting a pension to Eva Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eva Clark, former widow of Joseph L. C. Hill, late of Company C, Thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

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

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

JULIA TRAYNOR.

The bill (H. R. 6164) granting a pension to Julia Traynor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia Traynor, widow of Lawrence Traynor, late of the Quartermaster's Department, United States Army, and to pay her a pension of $8 per month.

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

CATHARINE SLAYTON.

The bill (H. R. 7145) granting a pension to Catharine Slayton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine Slayton, widow of Cary A. Slayton, late of Company K, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $12 per month.

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

ELLIS P. PHIPPS.

The bill (S. 1978) granting an increase of pension to Ellis P. Phipps was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellis P. Phipps, late second and first lieutenant, Company A, Twelfth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JOHN BLANCHARD.

The bill (H. R. 6919) granting an increase of pension to John Blanchard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Blanchard, late of Company D, Tenth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

SUSIE MARGARITE LANDRUM.

The bill (H. R. 1570) granting a pension to Susie Margarite Landrum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susie Margarite Landrum, widow of John J. Landrum, late lieutenant-colonel Eighteenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $30 per month.

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

JOHN HUTCHENS.

The bill (S. 3941) granting an increase of pension to John Hutchins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hutchens, late of Captain Baker's company, Second Regiment Georgia Mounted Volunteers, Florida Indian war, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

The 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 granting an increase of pension to John Hutchens."

GENEVIEVE LAIGHTON.

The bill (H. R. 6559) granting an increase of pension to Genevieve Laighton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Genevieve Laighton, widow of Samuel Laighton, late captain Company A, Eighth Regiment Kansas Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

LOUISE ADAMS.

The bill (H. R. 5192) granting a pension to Louise Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louise Adams, widow of Henry F. Adams, late assistant surgeon, Tenth Regiment Illinois Volunteer Cavalry, and acting assistant surgeon, United States Army, and to pay her a pension of $8 per month.

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

SARAH ELVIRA C. UPHAM.

The bill (H. R. 9194) granting a pension to Sarah Elvira C. Upham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Elvira C. Upham, widow of Frank K. Upham, late captain, First Cavalry, United States Army, and to pay her a pension of $20 per month.

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

ANNA M. STARR.

The bill (H. R. 6464) granting a pension to Anna M. Starr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna M. Starr, widow of William C. Starr, late lieutenant-colonel Ninth Regiment West Virginia Volunteer Infantry, and to pay her a pension of $20 per month.

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

GEORGE CRONK.

The bill (H. R. 9424) granting an increase of pension to George Cronk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Cronk, late of Company A, Sixteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MADISON T. TRENT.

The bill (H. R. 9915) granting a pension to Madison T. Trent was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Madison T. Trent, late of Company C, Tenth Regiment Tennessee Volunteer Cavalry, and Company E, Eighth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $12 per month.

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

JANE LUCAS.

The bill (H. R. 1797) granting a pension to Jane Lucas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "eight" and insert "twelve;" and in the same line, after the word "dollars," to strike out the article "a" and insert "per;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Lucas, dependent mother of Charles Lucas, late seaman, United States Navy, and pay her a pension at the rate of $12 per month.

Mr. GALLINGER. I ask that the committee amendments be disagreed to.

The amendments were rejected.

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

WILLIAM H. CAPEHART.

The bill (H. R. 2126) granting an increase of pension to William H. Capehart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Capehart, late of Company A, First Battalion Alabama Volunteers, war with Mexico, and to pay him a pension of $16 per month.

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

SOPHIA A. LANE.

The bill (H. R. 9740) granting a pension to Sophia A. Lane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sophia A. Lane, widow of James Sterling Lane, late private in Capt. John J. Floyd's company of Georgia Volunteers, Creek Indian war, and to pay her a pension of $8 per month.

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

THOMAS J. JACKSON.

The bill (S. 1952) granting an increase of pension to Thomas J. Jackson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Thomas J. Jackson, of Newton, Kans., late lieutenant-colonel Eleventh Regiment United States Colored Troops (Infantry), a pension of $50 per month in lieu of the pension he is now receiving.

Mr. GALLINGER. I move, in line 5, to strike out the words "of Newton, Kans.;" and in line 7 to strike out the word "pension" and insert "that."

The amendment to the amendment was agreed to.

The amendment as amended 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.

F. W. BAKER.

The bill (S. 1278) granting an increase of pension to F. W. Baker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 6, after the word "Regiment," to strike out "Tennessee Cavalry, and pay him a pension according to the degree of his disability," and insert "Tennessee Cavalry, and pay him a pension of $20 per month in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of F. W. Baker, late of Company I, Tenth Regiment Tennessee Cavalry, and pay him a pension of $20 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move to insert the words "at the rate" before the word "of" in line 9.

The amendment to the amendment was agreed to.

The amendment as amended 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.

MARY IRENE ROSENTHAL.

The bill (S. 1736) granting an increase of pension to Mary Irene Rosenthal was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, after the word "Guard," to strike out "Volunteers" and insert "Volunteer Artillery;" in the same line, after the word "pension," to insert "at the rate," and in line 10, before the word "she," to strike out "pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Irene Rosenthal, widow of Levi Rosenthal, late of Company F, Sixty-ninth Regiment New York National Guard Volunteer Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The blil 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.

NANCY J. DUNAWAY.

The PRESIDENT pro tempore (at 3 o'clock and 3 minutes p. m.). The time allotted to pension bills has expired.

Mr. GALLINGER. I ask that one other bill may be considered.

The PRESIDENT pro tempore. The next bill?

Mr. GALLINGER. The next bill.

The bill (S. 1269) granting a pension to Nancy J. Dunaway, of Garnett, Kans., was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "widow of," to strike out "the late;" in line 7, before the word "Forty-eighth," to strike out "who was a private in the" and insert "late of Company D;" and in line 8, after the word "Militia," to insert "and pay her a pension at $12 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy J. Dunaway, widow of John H. Dunaway, late of Company D, Forty-eighth Regiment Missouri Enrolled Militia, and pay her a pension at $12 per month.

Mr. GALLINGER. I move, in line 9, after the word "at," to insert "the rate of."

The amendment to the amendment was agreed to.

The amendment as amended 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.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting a pension to Nancy J. Dunaway."

PRIVILEGES OF SECOND-CLASS MAIL.

Mr. BUTLER. I ask the Chair to lay before the Senate the action of the House of Representatives on House bill 10308.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mails, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. CHANDLER, Mr. CARTER, and Mr. BUTLER were appointed.

CHOCTAW LANDS IN MISSISSIPPI.

Mr. JONES of Arkansas. I desire to enter a motion to reconsider the vote by which the bill (H. R. 9083) to authorize the Commissioner of General Land Office to dispose of Choctaw orphan Indian lands in Mississippi, and to make appropriation for executing act of Congress approved June 28, 1898, was passed, and also move that the House be requested to return the bill to the Senate.

The motion was agreed to.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

Mr. BUTLER. I ask unanimous consent that the joint resolution (S. R. 49) to amend the Constitution of the United States, giving Congress the power to lay and collect income taxes, and the joint resolution (S. R. 47) proposing amendments to the Constitution of the United States providing for the election of the Chief Justice of the Supreme Court by the qualified electors of the United States and for the election of other Federal judges by the votes of the qualified electors of the respective judicial circuits and districts, both of which were referred to the Committee on the Judiciary and unfavorably reported, may be put on the Calendar. I was not in the Chamber at the time, and the Chair announced that they were indefinitely postponed.

Mr. ALDRICH. What is the request?

Mr. BUTLER. I ask that they may go on the Calendar.

Mr. ALDRICH. With the adverse reports?

Mr. PETTUS. Did those joint resolutions come from the committee?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair will explain to the Senate that they were reported from the committee adversely and indefinitely postponed. The Senator from North Carolina asks unanimous consent that the votes postponing them be reconsidered and that they be placed on the Calendar with the adverse reports.

Mr. PETTUS. When was the postponement made?

Mr. BUTLER. On the 28th.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. PETTUS. I object.

The PRESIDING OFFICER. Objection is made.

Mr. ALDRICH. I suggest to the Senator from North Carolina that he see the chairman of the Committee on the Judiciary and make some arrangement with him, so that the joint resolutions may be put on the Calendar.

Mr. BUTLER. I will do that. I do not wish to interfere with other business, but I understand that a motion is in order to do that at any time.

Mr. ALDRICH. Not in this case.

The PRESIDING OFFICER. The Chair would suggest to the Senator from North Carolina that the time has passed within which such a motion can be made.

Mr. BUTLER. I will see the chairman of the committee.

MILITARY ACADEMY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11538) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1901, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. SEWELL. I ask that the formal reading of the bill may be dispensed with and that the amendments of the committee may be first acted upon as they are reached in the reading of the bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that course will be pursued.

The Secretary proceeded to read the bill. The first amendment of the Committee on Military Affairs was, on page 4, line 3, to increase the salary of 12 enlisted musicians from $20 per month to $25 per month, and, in line 4, to increase the appropriation for the salaries of 12 enlisted musicians from $2,880 to $3,600.

The amendment was agreed to.

The next amendment was, on page 7, line 12, after the word "at," to insert "the rate of;" in the same line, after the word "day," to insert "of eight hours;" in line 13, before the word "dollars," to strike out "twenty-seven" and insert "seventy-five," and in line 14, before the word "cents," to strike out "seventy-five" and insert "sixty-five;" so as to make the clause read:

For extra pay of one enlisted man employed as watchman, at the rate of 35 cents per day of eight hours, $175.65.

The amendment was agreed to.

The next amendment was, on page 8, line 25, after the word "regulations," to insert the following proviso:

Provided, further, That the allowance of extra pay, as provided for in the acts of February 10, 1897 (29 Stat L., page 518), March 5, 1898 (30 Stat. L., page 255), and February 27, 1899 (30 Stat. L., page 295), and of extra-duty pay to enlisted men of the Army stationed at the Military Academy, who have been placed on extra duty in obedience to the orders of the superintendent, is hereby authorized and its payment directed, less the 20 per cent war increase already paid, the said payment being excepted from the operation of section 3691 of the Revised Statutes and section 6 of the act approved April 26, 1898 (30 Stat. L., page 365).

The amendment was agreed to.

The next amendment was, on page 9, line 18, before the word "Military," to insert "of;" in line 22, before the word "thousand," to strike out "seventy-seven" and insert "seventy-eight;" in the same line, before the word "hundred," to strike out "five" and insert "three;" in line 23, before the word "dollars," to strike out "eighty-five" and insert "fifty-three;" and in line 24, before the word "cents," to strike out ninety-seven" and insert "sixty-nine;" so as to make the clause read:

In all, for pay of Military Academy Band, field musicians, general army service, cavalry detachment, artillery detachment, enlisted men on detached service and extra pay of enlisted men on special duty at the Military Academy, $78,353.69.

The amendment was agreed to.

The next amendment was, on page 10, line 3, before the word "hundred," to strike out "five" and insert "six;" and in the same line, after the word dollars," to insert:

And section 1338 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1338. The master of the sword shall hereafter act as the instructor of military gymnastics and physical culture at the Military Academy, and shall have the relative rank and shall be entitled to the pay, allowances, and emoluments of a first lieutenant mounted: *Provided, however*, that whenever a vacancy shall occur in the office of master of the sword and instructor of military gymnastics and physical culture the said office shall cease and determine, and the duties thereunto pertaining shall thereafter be performed by an officer of the line of the Army to be selected for that purpose by the Secretary of War."

So as to make the clause read:

For pay of the master of the sword, $1,600; and section 1338 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1338. The master of the sword shall hereafter act as the instructor of military gymnastics," etc.

The amendment was agreed to.

The next amendment was, on page 10, line 17, before the word "dollars," to strike out "and eighty" and insert "four hundred," and, in the same line, after the word "dollars," to insert:

Section 1278 of the Revised Statutes and sections 2 and 3 of the act approved March 3, 1877 (19 Statutes at Large, page 380), are hereby repealed, and section 1111 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1111. The Military Academy Band shall hereafter consist of one teacher of music, who shall be the leader of the band, and of 40 enlisted musicians. The teacher of music shall have the relative rank and shall receive the pay, allowances, and emoluments of a second lieutenant dismounted; and of the enlisted musicians of the band 12 shall each receive $34 per month, 12 shall each receive $25 per month, and the remaining 16 shall each receive $17 per month; and each of the aforesaid enlisted men shall also be entitled to the clothing, fuel, rations, and other allowances of musicians of cavalry; and the said teacher of music and the enlisted musicians of the band shall be entitled to the same benefits in respect to pay, emoluments, and retirement arising from longevity, reenlistment, and length of service as are, or may hereafter become, applicable to other officers and enlisted men of the Army."

So as to make the clause read:

For pay of one teacher of music, $1,400; section 1278 of the Revised Statutes and sections 2 and 3 of the act approved March 3, 1877 (19 Stat. L., page 380), are hereby repealed, and section 1111 of the Revised Statutes is hereby amended to read as follows, etc.

Mr. SEWELL. I move, in line 17, page 10, after the word "dollars," to insert the word "and;" so as to read "and section 1278," etc.

The amendment to the amendment was agreed to.

Mr. SEWELL. I desire to amend the amendment further by striking out, in line 2, page 11, the words "have the relative rank and shall;" in line 3, after the word "pay," to add the word "and," and in the same line to strike out the words "and emoluments."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 13, line 9, to increase the appropriation for pay of keeper of post cemetery from $700 to $900.

The amendment was agreed to.

The next amendment was, on page 13, line 18, before the word "hundred," to insert "eight;" so as to make the clause read:

In all, to civilians employed at Military Academy, $31,840.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous items and incidental expenses," on page 22, after line 2, to insert the following proviso:

Provided, That all technical and scientific supplies for the departments of instruction of the Military Academy shall be purchased by contracts or otherwise, as the Secretary of War may deem best.

The amendment was agreed to.

The next amendment was, on page 24, after line 5, to insert:

For a sea wall at river front, $8,130.

The amendment was agreed to.

The next amendment was, on page 31, line 19, to increase the total appropriation for buildings and grounds from $200,043 to $208,173.

The amendment was agreed to.

The next amendment was, on page 31, after line 19, to insert as a new section the following:

SEC. 2. That the senior major-general commanding the Army shall have the rank, pay, and allowances of a lieutenant-general, and his personal staff shall have the rank, pay, and allowances authorized for the staff of a lieutenant-general.

The amendment was agreed to.

The next amendment was, on page 31, after line 24, to insert as a new section the following:

SEC. 3. That the Adjutant-General of the Army shall have the rank, pay, and allowances of a major-general in the Army of the United States, and on his retirement shall receive the retired pay of that rank: *Provided*, That whenever a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent the Adjutant-General shall thereafter have the rank, pay, and allowances of a brigadier-general.

The amendment was agreed to.

The next amendment was, on page 32, after line 6, to insert as a new section the following:

SEC. 4. That the corps of cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, and 50 from the United States at large. They shall be appointed by the President, and shall, with the exception of the 50 cadets appointed from the United States at large, be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

Mr. PROCTOR. I submit an amendment in lieu of section 4, which has just been read.

The PRESIDENT pro tempore. A committee amendment?

Mr. PROCTOR. No, sir.

The PRESIDENT pro tempore. The Senator from Vermont offers an amendment as a substitute for section 4, which will be read.

The Secretary read as follows:

That the corps of cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, 2 from each State at large, and 30 from the United States at large. They shall be appointed by the President, and shall, with the exception of the 30 cadets appointed from the United States at large, be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

Mr. PROCTOR. That is identical with the provision which was passed by the Senate in the reorganization bill some three weeks since. It provides for 90 additional cadets—2 from each State at large, and it adds 10 to——

Mr. COCKRELL. By whom are they appointed from each State?

Mr. PROCTOR. They are all appointed by the President.

Mr. HALE. They are Senatorial appointments, of course.

Mr. COCKRELL. I am trying to get at the actual facts. They are all appointed nominally by the President, but it is simply giving each Senator an appointment.

Mr. PROCTOR. I presume they will be appointed on the recommendation of Senators.

Mr. HALE. Does the committee report this provision?

Mr. COCKRELL. No; it was not put by the committee on this bill, and I shall make a point of order against it at the proper time.

Mr. SEWELL. I will state that the committee did report it on another bill, after full discussion, and when we came to put it on this bill, knowing that the other bill would not pass at the present session, the committee declined to report it. It authorized me to report 50, which would be an addition of 30 to the President's appointees.

Mr. HALE. If the Senator insists on this amendment, I shall make a point of order against the whole section.

Mr. COCKRELL. And I hope the point of order will be sustained.

Mr. SEWELL. I trust the Senator from Vermont will not insist on the amendment under the circumstances.

Mr. FORAKER. Mr. President, if I may be allowed to say a word, I hope if we legislate on this subject at all we will provide not that the President shall appoint 50, as the committee amendment provides, but that there shall be the same provision that was in the Army appropriation bill, which contemplated two from each State as I understood it. I think that would secure a distribution of the cadets.

Mr. SEWELL. It was in the organization bill, which has not passed the House, and is not likely to pass at this session.

Mr. HALE. I shall be constrained then to make the point of order.

Mr. FORAKER. There is no parliamentary objection I hope to putting it in the same form here that we had it in the Army organization bill.

Mr. SEWELL. If the Senator from Maine is going to make a point of order we had better not try to put it in.

Mr. FORAKER. I would rather have the point of order made than to have 50 appointed by the President in the way provided here.

Mr. SEWELL. It is absolutely essential that we shall have some increase in the number of cadets at West Point. We have room for them there, and we have places for them in the Army which we can not otherwise fill. I wish to read a statement in relation to the matter.

There are at present 2 vacancies in the Engineer Corps, 27 in the cavalry, 17 in the artillery, 74 in the infantry, making a total of 120. The graduating class numbers 54 cadets. Examining boards have been ordered in every department of the Army, so that enlisted men entitled to compete for promotion shall be examined June 1. It is not known how many this will produce, but it is not expected to provide anything like the number required.

The remainder will be drawn from civil life. The provision in the bill which recently passed the Senate for increasing the artillery and which will probably be passed again early in the next session creates at once 38 vacancies if 20 per cent of the increase takes place the first year. This would be repeated each succeeding year until the total number are appointed.

Taken in connection with the other vacancies arising from retirements, deaths, and resignations, the present corps of cadets will not be able to furnish a sufficient number of graduates to fill the engineers, ordnance, and artillery—

Leaving the question of infantry and cavalry entirely out, and they form the largest body of the Army.

Mr. PROCTOR. Mr. President, my only purpose in proposing this amendment was the great need of the Army for more educated officers. I was informed a few days since at the Adjutant-General's

office that there had been 369 appointments to second lieutenancies in the Regular Army within the last two years. I was hastily running over the different regiments, and I find that in the artillery (and that is the branch which graduates especially seek) there were 42 appointments in that branch, which should be specially scientific, from civil life in the last two years.

In the infantry I did not have time to go through the list, but there is about the average, perhaps some more than that, of from 10 to 13 in each regiment, and of course there are many vacancies. The existing vacancies which can not be filled from West Point should be added to the appointments that are already made, and the appointments have been so great that quite a number of those are already first lieutenants.

In the First Infantry there are 6 first lieutenants; in the Second, 5; in the Third, 3; in the Fourth, 6; in the Fifth, 3; in the Sixth, 3; in the Seventh, 3; in the Eighth, 4; in the Ninth, 2; in the Tenth, 4; in the Eleventh, 3; and in the Twelfth, 5. That was as far as I had time to go in the hurry. There is that number who are already first lieutenants and who have been appointed from civil life within the last two years, since the war broke out. It seems to me very clear that there is an urgent necessity for more educated officers in the Army.

I do not wish for patronage; I should give it to an examining competitive committee; but I think there is excellent reason for favoring this method by States rather than by the President at large, for this reason: It distributes them all over the country. The common custom is for Congressmen to appoint them by competitive examination, which the appointments at large could not well be. It seems to me it is a better system, and the need of more is certainly very evident.

Mr. FORAKER. The Senator from Vermont has stated what I want to emphasize. I do not wish any patronage; I do not wish any responsibility with respect to these appointments; but I recognize, as the committee has evidently recognized, that there is an urgent necessity for increasing the number of educated officers for the Army. I think the number ought to be increased. I do not think the increase, in view of all the circumstances, provided by the amendment now offered by the Senator from Vermont too large; and I think it much better to adopt a provision that looks to the distribution of these cadets all over the country than to put it in the way that is proposed now, which might not secure that distribution.

I am as heartily in favor of increasing the number of officers as the Senator is. I think the number ought to be increased beyond what the committee amendment provides. I do not think the increase provided by the Senator from Vermont is more than it should be. I think the distribution is highly important, not in the sense of giving patronage, for I do not think anybody would care for that; everybody certainly would be glad to be rid of it; but as a matter of securing equity and justice for all the States in this recognition with respect to the Army.

Mr. HALE. I do not think the figures which the Senator from Vermont has given showing appointments from civil life to the Army show that things are going wrong. We are in conditions where we by a kind of necessity have largely increased the Regular Army. Where it was twenty and odd thousand it is likely to be 100,000, and it has got to be built up from the ranks of the people. That there have been within the last two or three years 340 civilian appointments, selected carefully as they have been, is to me a merit. It helps in a degree to reconcile me to the increase of the Army. I do not believe in going on and increasing West Point to a point commensurate with the increase of the Regular Army.

Mr. PROCTOR. Will the Senator from Maine allow me to interrupt him?

Mr. HALE. Certainly.

Mr. PROCTOR. I wish to inform the Senator that the Regular Army has only been increased a trifle over 2,000 men since I have been in Washington.

Mr. HALE. Oh, well; the Senator, of course, understands that, as all of us do. I should like to keep the Regular Army down to 25,000 men. I have no hope of doing that.

Mr. PROCTOR. These appointments are in the Regular Army of 42 regiments.

Mr. HALE. It can not be done. An increase of the Regular Army is a part of the events we are living in. I shall join with anybody to keep it down, so far as we can; but if it is to be increased—and it is to be; there is no doubt about that—I am in favor of these civilian appointments.

Now, the committee that has this matter in charge has not reported in favor of Senatorial cadets. It has reported a system changing the law absolutely—new legislation, providing for the Presidential appointment of 50. I am willing to concede that. I am willing to take the judgment of the committee. But now another change in the existing law is proposed, not from the committee, but by the Senator from Vermont individually. Not content with the action of the committee of which he is a member, he seeks to obtrude on the Senate this feature of Senatorial appointments.

If the Senator insists upon that, or if any Senator insists upon it, I shall make the point of order. There is no doubt, I take it, about the section itself to which this amendment is moved. I am not in favor of Senatorial cadets. I do not want Senators to have anything to do with them.

The Senator from Ohio says he does not want the patronage. He can not help it. He will be beset; I know what Ohio is. It is a modest State, but there are men in Ohio who want office; there are men in Ohio who want cadet appointments; there are men in Ohio who will turn up unexpectedly.

Mr. FORAKER. Ohio is like Maine in that respect.

Mr. HALE. Undoubtedly. The Senator will find to his disappointment he will be beset.

Mr. FORAKER. If the Senator will allow me, I have no doubt I will have to meet applications of that kind, and I am willing to do it as a matter of duty, not as a matter of preference or choice.

Mr. HALE. The Senator is a busy man, doing a great deal of valuable work, and I do not want his time taken up in that way.

Mr. FORAKER. It does not take a man very long to make a choice when the applicant comes from Ohio.

Mr. HALE. I do not want either him or any Senator to be bedeviled by Senatorial appointments. I simply say that I am willing to take the section and I will not make the point of order on it; but if it is sought to be extended, as the committee has not extended it, so as to embrace this feature of Senatorial cadets, I shall make the point of order that it is general legislation.

Mr. PROCTOR. As I said, it is only the urgent need of the Army for more educated officers. The last regiment that I looked at here is the Twelfth Infantry, which has not a single graduate among the second lieutenants and there is a small number among the first lieutenants. Very soon they will be without a solitary educated officer in the higher ranks.

Mr. HALE. Why did not the committee then report this proposition?

Mr. PROCTOR. The committee did report exactly this amendment on the organization bill, and the Senate passed it. I do not know of any stronger indorsement.

Mr. HALE. Why did not the committee report it on this bill?

Mr. PROCTOR. I can not say. I was out of town when the committee met. I know that a strong portion of the committee favored it.

Mr. SEWELL. I will say that I tried to have it reported, but the argument on the other side was that if we did not pass the Army increase bill we could well wait for an increase of cadets until next winter. Therefore I gave way, with an increase for the present from twenty to fifty, and agreed to leave out the other feature. I do not want the point of order made against it, because we want to have what is provided in the bill any way.

Mr. HALE. The point of order will not be made if the provision is left alone, but if individual members seek to come in and extend the scope of the provision the point of order will certainly be made. It does not rest with me.

Mr. SEWELL. Under those circumstances, I wish the Senator from Vermont would withdraw his amendment. Does the Senator desire to press his amendment?

Mr. HAWLEY. If he does it may kill the whole section.

Mr. FORAKER. The inquiry is not addressed to me, I trust, although the Senator is looking at me as he makes the inquiry.

Mr. PROCTOR. I would be pleased to have the Senator from Ohio answer the inquiry.

Mr. FORAKER. I would simply say that I would not be coerced about it. I do not like the attitude of the Senator from Maine altogether. Of course, it is his privilege to make the point of order or not make it. I do not mean to use the word in any offensive sense. But the Senator says, "Unless you accept a certain number I will make the point of order," which he can make against this number just as well.

Mr. HALE. I do not say "unless the Senate consents to a certain number." I have not selected the number; the committee has. I find a provision in the bill and I am willing to take it, but I am not willing that it should be extended. I did not select the number.

Mr. FORAKER. It is true the Senator did not, but he says unless we accept the number the committee have reported. Now, the committee made a former report in connection with another bill, and the report they then made was for the larger number provided for by the amendment now offered by the Senator from Vermont. It certainly is conceded here—the committee before it reported to the Senate so voted, and the letter just read by the Senator from New Jersey [Mr. SEWELL] shows the truth of it—that the Army needs all the educated officers provided for by the amendment offered by the Senator from Vermont. I think that is the provision that ought to be adopted, and I hope the Senator from Maine will not press a point of order and will not tell us that unless we yield to the view he entertains, he will make a point of

order and make it impossible for us to legislate on the subject at all; for if the point of order is made in the one case, it may be made in the other, and we will have then to resort to original legislation providing just what the Senate wants or we will not have anything.

Mr. LODGE. Mr. President, I do not know whether the point of order has been made or not, but this is a bill providing for the pay and education of cadets. It seems to me that it is strictly in order on the bill making the appropriation for cadets to increase or diminish the number. The whole bill is for them. It is a change of existing law, it is true, but as the Chair pointed out the other day, that is the rule of the House, not of the Senate. The rule of the Senate is general legislation. Certainly if there is anything appropriate to a bill for the West Point Academy, it is an amendment relating to the number of cadets to be educated and paid for.

Mr. HALE. Mr. President, I make the point of order, or shall make it, that it is general legislation. If there was not a general law on the general statutes fixing the number of cadets, my point of order would be good for nothing. It is just as good a point of order as it would be if the committee should come in when the law declares that the Regular Army shall consist of 25,000 men and report an amendment making it 100,000 men. Would there be any doubt that that was general legislation? Is not the size of the Army general legislation? Is not the number of cadets already fixed by law general legislation? It is not like a matter of a naval appropriation, where there is no law fixing the number of ships, but the statute fixing the number of cadets—it is just as clearly general legislation as any general provision of law that there is on the statute book. I make the point of order, if I am constrained to make it by the Senator from Vermont, that it is general legislation.

Mr. LODGE. Mr. President, we have changed the numbers of the Army on appropriation bills. We have changed the numbers of the Navy on appropriation bills. The Navy is fixed by an appropriation bill just as much as by any other law. An appropriation bill itself is a law. If one appropriation bill fixes a navy to be 20,000 men, that is the law fixing the number of the Navy, and the next appropriation bill amends it; and we have amended the Army in the same way.

Mr. HALE. The point of order has been raised; and we have never on the Army appropriation bill raised the numbers of the Regular Army that are fixed by law.

Mr. SEWELL. But we have in the case of West Point. We have changed everything there by an appropriation bill.

Mr. HALE. Because nobody has objected.

Mr. SEWELL. We have not had general legislation there for years.

Mr. HALE. It was done because nobody objected.

Mr. GALLINGER. Some of us have been taught that we never have general legislation on appropriation bills, and so the point of order was not made.

Mr. SEWELL. The West Point Academy bill has been unique in character. It has all been done by the appropriation bills.

Mr. HALE. If the Senator from Vermont insists on his amendment I must make the point of order.

Mr. COCKRELL. I want to add to the point of order another item or objection. This is a clause proposed to an appropriation bill that will increase necessarily the expenditures, and it has not been estimated for by the head of any Department or reported by any committee.

Mr. HALE. Is that true?

Mr. COCKRELL (reading):

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill or to add a new item of appropriation.

As a matter of course, necessarily if we have additional cadets we have got to have an additional appropriation.

Mr. HALE. Has not this been estimated for by the Department?

Mr. COCKRELL. It has not.

The PRESIDENT pro tempore. What was the Senator reading from?

Mr. COCKRELL. I was reading from Rule XVI.

Mr. FORAKER. It has been reported by the committee and it has been adopted once by the Senate.

Mr. COCKRELL. Not on an appropriation bill. That was independent legislation.

Mr. PROCTOR. It has been recommended by the Secretary of War and acted upon by the entire Military Committee, without objection, and passed the Senate without a division.

Mr. HALE. Has it passed the other House?

Mr. PROCTOR. No; it is still pending in the committee in the House, not having been reported to the House.

Mr. COCKRELL. I did not understand the Senator from Vermont to say that the Committee on Military Affairs had recommended this as an amendment to this appropriation bill.

Mr. FORAKER. No; nobody has said that, but it is contended that it is not necessary that an amendment shall be reported as an amendment to a particular bill. The purpose of the rule, as some of us at least understand it, is to secure a consideration by a committee of a certain proposition—to wit, the proposition involved in the amendment—and that proposition has been considered in the committee and reported favorably to the Senate, and it has passed the Senate by a unanimous vote.

Mr. HALE. That does not make it general legislation.

Mr. FORAKER. I am not talking as to that point now. I am talking as to the question of the amendment having been considered by the committee.

Mr. LODGE. Mr. President, I do not see any force in the proposition of the Senator from Missouri. Clause 2 of Rule XVI reads:

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations.

That amendment, which was reported from the committee, has met all those propositions, because the Committee on Military Affairs is now a committee on appropriations.

The PRESIDENT pro tempore. That applies to the committee's amendment, but not to the amendment offered by the Senator from Vermont.

Mr. LODGE. Precisely. I was speaking solely of the amendment of the committee, which I hold to be in order.

Mr. FORAKER. Certainly, it is competent for any Senator to move to amend a committee amendment. The committee propose an amendment, and the Senator from Vermont moves to amend that amendment by substituting another provision for the amendment. Surely that is in order.

Mr. COCKRELL. That is an independent proposition, not reported from any committee, and amenable to the objection that it is general legislation and contrary to the provisions of the rule.

Mr. FORAKER. In answer to that, I desire to say that it has been reported by a committee.

Mr. COCKRELL. But not as an amendment to this bill. The Military Committee never recommended this amendment to go on this bill.

Mr. HALE. The point has not been reached yet. Even if the amendment is in order, I do not think it is general legislation; but the amendment of the Senator from Vermont is not in order, because it increases an amendment already reported. That is specifically provided for in the rule.

The PRESIDENT pro tempore. Has the point of order been made against the amendment offered by the Senator from Vermont [Mr. PROCTOR]?

Mr. COCKRELL. Yes, sir; I make the point of order against it.

Mr. HALE. I made the point of order against it.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. ALLEN. I desire to offer an amendment, in section 4, on page 32, line 9, after the word "from," where it occurs the second time, to insert the words "the several States of;" in line 10, after the word "States," to strike out "at large;" and in the same line, after the word "President," to insert "on selection and recommendation of the Senators of the respective States."

That does not increase the number, and it does not increase the appropriation to carry out the provisions of this act, but puts the selection of these cadets in the hands of the Senators of the several States. Under this amendment as it now stands the President of the United States can take every one of these 50 persons from the District of Columbia or from any State or Territory; he can take them all from Massachusetts, if he wants to, or all from Rhode Island, if he wants to, and ignore every other foot of territory in the United States.

Mr. HAWLEY. Let me ask the Senator if he would provide any method of distributing them?

Mr. ALLEN. I would.

Mr. HAWLEY. You can not distribute 50 among 90 very well.

Mr. ALLEN. The appointments can be divided properly, and even better in that case than they are now.

The real animus of this amendment is to establish an aristocracy in the Regular Army. That is its purpose. The purpose of this amendment is to permit the sons of officers in the Regular Army to succeed their fathers in the Army by appointment through the agency of the President. That has been the tendency of affairs heretofore; and, indeed, that has gone so far that less than three years ago an officer of the Regular Army, in this city, said that he thought the time had come when the rank held by the father in the Regular Army ought to become hereditary in this country and pass to the son by virtue of that fact.

Mr. SEWELL. Do I understand the Senator to say that, the father holding the rank, it would not be proper to appoint the son if the father had been killed in battle?

Mr. ALLEN. If the son is competent and fitted for it, all right.

Mr. SEWELL. Appointments in the Army and the Navy have always been given to the President, but they are limited in their number and are generally given as a reward for gallantry in the field or for distinguished service.

Mr. ALLEN. The son has no right to receive an appointment on account of his father.

Mr. SEWELL. These appointments are made in this manner because the sons of officers can not otherwise secure an appointment by reason of not having any Congressional district and because of their living in the Army. Therefore it is perfectly proper that the President should have the right to reward the sons of distinguished and gallant officers.

Mr. ALLEN. The Senator from New Jersey reveals exactly what I said just now, that this is true as to the sons of officers regardless of the question of their fitness. What is the use of taking a pine stick and appointing him in the Army or to any other place simply because his father was an officer of the Army?

Mr. SEWELL. You might say the same as to appointments from civil life. It is supposed the son of a captain in the Navy or the son of a colonel in the Army is likely to be just as good as any other boy in the country.

Mr. ALLEN. You propose to shut out by this amendment every worthy and competent boy in the United States who does not derive his parentage from an officer in the Army or in the Navy.

Mr. SEWELL. I do not. I was in favor of giving 90 appointments to the States at large. I voted for it, and we reported a bill for it; but it has not passed the House. When we came to go over the question again, a majority of the Senate committee was opposed to it on the ground of not having passed the artillery bill, which would require more cadets than any other branch of the Army, and that we had better wait until next winter. I shall be in favor of it next winter on the general reorganization bill.

Mr. ALLEN. As to men who have risen to eminent distinction in the Army and Navy of the United States, I do not know of a single instance where they were the sons of eminent men, including my distinguished friend in charge of this bill. I call upon him or any other Senator to point to an instance in all the history of this great Republic of ours—there may be a single, isolated instance—where the son of a man who had become eminent in the Army or in the Navy ever himself became eminent or even efficient.

Mr. SEWELL. I deny that proposition.

Mr. CHANDLER. I should like to give the Senator one case. He says there may be a solitary instance. I presume there are a great many cases. I instance the case in the Navy of the Selfridges. Admiral Selfridge, who is now at the age of 95 years, is on the retired list, and his son, who is also an admiral, is on the retired list. There are these two Selfridges on the retired list and a son in the service, all splendid officers.

Does not the Senator believe that the sons of Army and Navy officers are just as likely to be efficient and to make good officers in the Army and Navy as the sons of civilians?

Mr. LODGE. There is another most conspicuous instance of Admiral Porter, whose father was Commodore Porter in the war of 1812.

Mr. ALLEN. From Paul Jones down to Dewey, Farragut, Perry, and all of them, and there is not a single instance where the father was eminent in military or naval life. So you may take our Army from George Washington to the present distinguished Commander in Chief, and there is not a single instance in which the father was an eminent man in military life—not one. The reverse is true. They were all the sons of humble men who had no distinction in military life at all. Now you propose to follow out this namby-pamby idea that the Regular Army and the Navy must be pandered to and the son appointed by virtue of his birth, and not in consequence of his merit; he must pass into the ranks occupied by his father, when all the meritorious boys all over this country, having natural military and naval instincts and aptitude, are to be denied by this provision.

Mr. CHANDLER. What makes the Senator say that these appointments are to be made from the sons of Army and Navy officers?

Mr. ALLEN. Because I know that is the way it has been done heretofore. That is the animus or purpose of this amendment.

Mr. CHANDLER. Could not Mr. Bryan be trusted to do justice by the sons of the prairies of Nebraska?

Mr. ALLEN. I do not propose to engage in any discussion with the Senator from New Hampshire about Mr. Bryan. I think the Senator belittles himself, and every other Senator on that side of the Chamber belittles himself, when, on every pretext, specious as it is, he undertakes to force the name of Mr. Bryan into the discussion here in this Chamber.

Mr. CHANDLER. I withdraw Mr. Bryan.

Mr. ALLEN. I have spoken of the President of the United States with respect——

Mr. CHANDLER. Will the Senator allow me a word?

Mr. ALLEN. Yes; you may have two words.

Mr. CHANDLER. The Senator argues as if there was something in the law to compel the President of the United States to give these appointments to the sons of Army and Navy officers. The President does it in certain cases, because the Army and Navy officers generally are not able to get their sons in from the Congressional districts; but there is no law to that effect.

Mr. ALLEN. Why should they?

Mr. CHANDLER. And any President ought to be trusted to make these selections. The Senator seems to be creating the impression that the law requires this to be done.

Mr. ALLEN. I do not create any impression of that kind.

Mr. GALLINGER. If the Senator will permit me, I will merely say that in the absence of law the custom is precisely as the Senator from Nebraska [Mr. ALLEN] states it; and I have no doubt that if the number to be appointed by the President is increased, they will be appointed from the sons of distinguished military and naval officers.

Mr. ALLEN. There is not the slightest doubt about it. That is the purpose. The Senator from New Jersey [Mr. SEWELL] admits it; and there is no controversy about it.

I want to say once for all that this constant running the name of Mr. Bryan into discussion here belittles Senators who do it. Mr. Bryan is a private citizen of the United States; he is denied the privileges of this floor; he is not here to answer for himself. If he were, Senators would hesitate a little, perhaps, more than they now do, in speaking his name as they do.

I am not the political friend of the President of the United States. He does not believe in the policy in which I believe. I will do everything in my power to defeat him at the polls this fall, and will do it honestly and conscientiously; and yet, Mr. President, I have never mentioned in this Chamber the name of the distinguished gentleman who occupies the White House, except in the most kindly terms, and I would not suffer myself to do it. I have never brought his name into a discussion in this Chamber, and I shall not do so now. I trust that self-respect and the ordinary decencies and proprieties and amenities of life will induce Senators upon the other side of the Chamber to refrain from throwing Mr. Bryan's name into discussion here as if they were kicking a football into the arena.

The Senator from New Hampshire who was last on his feet [Mr. GALLINGER], with his usual candor and his usual truthfulness, admits that the purpose of this amendment is to put this power into the hands of the President of the United States; I care not who he may be. The present occupant of the White House is not like She, who must be obeyed, as written by Haggard; he can not live two thousand years; he can not always be President of the United States. In the course of time that distinguished gentleman will retire to private life and another man will be President of the United States. We can not take it for granted that this provision will not be abused at some time if it becomes a permanent law of the United States.

I ask again, Why do you desire to build up an aristocracy in the Navy or the Army of the United States?

Are not thousands and millions of poor boys scattered through the workshops and farms of this country entitled as much to the consideration of Congress, and as much entitled to admission to the Military and Naval Academies, if they show themselves competent, as the boys who simply have the fortune, or the misfortune, whichever it may be, of being the sons of men who have occupied or who do occupy official position in these branches of the public service? Why should the little boy raised on the farm, with good health and good education, with military aptitudes or naval aptitudes, possessing all the qualifications that a boy could possess for one of these lines of service, be denied it because he is the son of a peasant, perhaps, and the son of some man who is loaded from head to foot with gold lace, by reason of that fact, be permitted to take his place?

We have reached a period, Mr. President, when it is but a step, and a short one, from modern republicanism to a crown; and this is one of the steps that is being taken.

Mr. FORAKER. I move to amend the amendment proposed by the committee by inserting, on page 32, in section 4, line 10, after the words "at large," the following:

> Not more than two of whom shall be appointed from the same State.

So that the sentence will read:

> That the corps of cadets shall consist of one from each Congressional district, one from each Territory, one from the District of Columbia, and fifty from the United States at large, not more than two of whom shall be appointed from the same State.

Mr. SEWELL. I will accept that suggestion.

Mr. FORAKER. The purpose of that amendment is to secure the distribution of these appointments all over the country.

Mr. ALLEN. I suggest to the Senator to say "not more than two of whom shall be appointed from any State, Territory, or District."

Mr. FORAKER. If the Senator will observe the language of the section, it already provides that there shall be "one from each

Territory, one from the District of Columbia, and fifty from the United States at large."

Mr. ALLEN. Will the Senator accept an amendment that these appointments shall be made upon the recommendation of the Senators from the States?

Mr. FORAKER. I do not care for that. That would look as though we were trying to get the appointments into our hands. I do not care for that, and I do not want to bother with it. What I am trying to do is to secure an equitable distribution of these appointments.

Mr. ALLEN. We do that as respects the others.

Mr. COCKRELL. Not at all.

Mr. FORAKER. That is another matter altogether.

Mr. ALLEN. Would not the same practice be followed in the selection of these cadets?

Mr. SEWELL. Allow me to say that I will accept the amendment suggested by the Senator from Ohio, provided that it does not include the suggestion of the Senator from Nebraska [Mr. ALLEN] about somebody recommending the appointments to the President.

Mr. ALLEN. I simply want to have a fair understanding about this matter. I am not going to object to this capriciously; but if this amendment of the Senator from Ohio is accepted and becomes the law, is it the understanding of the committee that the same rule will be followed, so far as it can be, in the selection of these fifty cadets, that is followed in the selection of those from the Congressional districts?

Mr. FORAKER. I have no doubt it would be, but I am not concerned about that.

Mr. COCKRELL. I protest against any understanding of that kind. The Constitution of our country vests in the President the sole appointing power. It is not right that the Senate should undertake to encroach upon the appointing power by grabbing at a little patronage for each Senator, so as to have a cadet at West Point. I think it is small business for the Senate to engage in, seeking to have the privilege of designating some one to attend the West Point Academy.

Mr. FORAKER. I hope the Senator from Missouri does not apply any of that remark to me.

Mr. COCKRELL. I do not apply it to anybody. I say the Senate.

Mr. FORAKER. The Senator must imagine that there is a necessity for saying it.

Mr. COCKRELL. There is a necessity because of this proposition.

Mr. FORAKER. I have said from the beginning that I do not want to have anything to do with these appointments, except only as it may be necessary to discharge a responsible duty; but I do think that the number of cadets to be educated at West Point ought to be increased, and I do think that they ought to be equitably distributed, when it comes to the making of the appointments, over the whole country. That is the only purpose I have in view. I shall be glad to turn over to somebody else the selection of the appointments coming to Ohio.

Mr. COCKRELL. It is claimed that there is a great demand for additional cadets and that three or four hundred junior officers have been appointed. What harm has been done? Whence did they come? From the walks of civil life.

Mr. FORAKER. If the Senator will allow me, I would say, in answer to the inquiry he has made as to what harm has come from the appointments, that I am not on the Military Committee and do not have as accurate information as the members of that committee probably have; but it has come to me that a great number of the appointees from civil life, especially in the artillery corps, have been compelled—or rather it has been found necessary, I will say, to send them to technical schools to be educated before they could satisfactorily discharge the duties of officers.

Mr. COCKRELL. That is done with the graduates of West Point.

Mr. FORAKER. It is not, except only as they are given a post-graduate course, which is provided for. I believe in the education that the cadets receive at West Point. I believe it is an efficient education. I believe they turn out good officers there. I do not believe, however, that they there learn everything necessary to a thorough understanding of the art of war, and therefore I believe in the propriety of providing the post-graduate course, to which the Senator from Missouri must have reference; but I do not believe that we ought to appoint from civil life officers to take charge of these guns, that are of fine, delicate, and difficult mechanism, and then find it necessary to send them off to be educated before they can discharge the duties of officers. I think it is our duty here and now to provide for a proper education of the men who are to command the soldiers of the Republic.

Mr. COCKRELL. Will the Senator from Ohio yield to me now?

The PRESIDENT pro tempore. The Senator from Missouri [Mr. COCKRELL] is recognized.

Mr. COCKRELL. I want to get permission of the Senator from Ohio.

Mr. FORAKER. Mr. President——

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

Mr. COCKRELL. Not if the Senator wishes to make another speech. He can make that after I get through.

Mr. FORAKER. I wanted to ask the Senator a question. I had the floor and was addressing the Senate when the Senator interrupted me. I did not yield the floor to him.

Mr. COCKRELL. I did not so understand it; but, however, I ask if I may proceed now?

Mr. FORAKER. I have nothing to do with your privileges in the Senate, and I do not appreciate the inquiry. I think it is entirely unnecessary and gratuitous.

Mr. COCKRELL. Mr. President, I do not believe there is any urgent necessity just at this time that there should be such an enormous increase in the appointments at West Point. What have we to-day? We have over 100,000 men, and we have some of the brightest and most reliable young men in this whole nation now in the ranks of the Army as sergeants and as first lieutenants. They are in the volunteer service, which expires on the 1st of July, 1901. When that time comes they will want appointments in the Army; they will have the practical education for it, and an experience that is worth more than an education at West Point. They will be expecting appointments.

Then what will your appointments of cadets do to supply deficiencies? It will take four years before one of them can be graduated; and if he is appointed now it will be five years before he can go out as a graduate from West Point. So there is no pressing necessity now for this amendment, and I do not believe that under the Constitution and our system of government the Senate ought to attempt to control these appointments. I believe that belongs to the appointing power. We do not control the appointments of the cadets from the Congressional districts. The President appoints them. It is simply a matter of discretion with him as to whether he appoints the cadet who is recommended by the Representative of a particular district or not. There is no law requiring him to do it. I do not know what the President would do if this amendment were adopted, whether he would consult Senators or not. I do not think he ought to do so. So far as I am concerned, I do not want to be consulted in such a case as that. I believe it is better that no such consultation should be had, and I would oppose anything that would be recognized and could be presented to the President as the understanding of the Senate that we were to name these appointees.

Mr. HALE. Mr. President, there would have been no friction about this matter, and the bill would have passed an hour ago just as the committee intrusted with it reported it; but there are certain Senators here who do not believe in the feature of Senatorial cadets. They think it is unseemly, whether it is done directly or in the form of an amendment, that the Senate should scramble for patronage. We have wasted an hour here simply because the committee amendments reported by the Senator from New Jersey [Mr. SEWELL] who has charge of the bill were not let alone. I did not touch them; the Senator from Missouri [Mr. COCKRELL] did not touch them; the Senator from New Jersey in charge of the bill did not touch them.

We were willing to take the action of the committee as conservative action, which it is, of course, to a certain extent; and if it had not been interfered with and the committee amendments sought to be changed, there would have been no discussion and no friction. I must object, for one, whether voted down or not, against the spectacle of the Senate seeming to scramble for the appointment of a cadet or two cadets for each Senator. It is not seemly. We ought to acquiesce in the action of the Senate committee.

Mr. ALLEN. Who is scrambling for patronage here?

Mr. HALE. Any man, I do not care in what form he puts it, who wants to take away these appointments from the President and provide for two cadets at large from each State or one from each State, knows what it means is that they shall be Senatorial appointments.

Mr. ALLEN. I think the Senator from Maine is doing himself an injustice by undertaking to put our view of this matter upon some selfish claim of patronage. I know, so far as I am concerned, I would not appoint one of these fellows if I had an opportunity to do so.

Mr. HALE. The Senator would have to do so.

Mr. ALLEN. I am not a worshiper of West Point, as the Senator from Maine is.

Mr. HALE. If the amendment proposed by the Senator from Vermont is insisted upon and passes, the Senator will have to appoint cadets.

Mr. ALLEN. I would not do so.

Mr. HALE. If the President should consult the Senator about the matter, he could not help it.

Mr. ALLEN. I would not do so.

Mr. HALE. There would be so many applications, I want to say to the Senator, that he would not be able to avoid it.

Mr. ALLEN. The President of the United States is not big enough to compel me to do what I do not want to do.

Mr. HALE. If the bill is insisted upon just as it was reported, there will not be a word against it.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Ohio will be stated.

Mr. FORAKER. I want to say a word in answer to the remarks just made by the Senator from Maine.

The PRESIDENT pro tempore. Will the Senator allow the amendment to be first stated?

Mr. FORAKER. Certainly.

The SECRETARY. On page 32, in section 4, line 10, after the words "at large," it is proposed to insert "not more than two of whom shall be appointed from the same State."

Mr. FORAKER. I do not know exactly what the purpose of the Senator from Maine was in attributing to Senators motives which they have disclaimed. Certainly it is no offense for a Senator to differ with another Senator as to a proposition that comes before this body for consideration, and it ought not to be any offense for Senators to dissent to a proposition emanating from a committee. We are all here, I take it, to act upon our sense of responsibility and our sense of duty; and when Senators impute to others an improper motive or unworthy motive, as that we are scrambling for patronage, I can only say that such a thought could originate only with a man who is capable of doing it himself. I have no such purpose. I have had no such thought. I do not want to send anybody to West Point. I have no candidates applying to me, and I have nobody I want to favor.

Mr. HALE. Will the Senator allow me to ask——

Mr. FORAKER. And I repudiate and resent the idea that we can not be allowed to express our own opinions here without being made the subject of remarks of that character.

Mr. HALE. Oh, Mr. President, my remarks have not been severe. I could have made them a great deal more severe.

Mr. PROCTOR. Suppose you try it?

Mr. HALE. I want to ask the Senator what reason he has for this? If the President in his discretion should choose to appoint more than two of these from one State, what reason is there why he should not do so?

Mr. FORAKER. I have stated it several times.

Mr. HALE. I have not heard the Senator.

Mr. FORAKER. It was urged here, in opposition to the amendment proposed by the committee, that an undue number might be taken from a particular State. It occurred to me—I may be in error about it, but certainly I am entitled to my opinion and to present it to the Senate—that it would be better to have these appointments distributed over the whole of the 45 States of the Union, and therefore it seemed to me that it would be an appropriate amendment to submit, and I submitted it in good faith.

Mr. HALE. Undoubtedly

Mr. FORAKER. It was to avoid the taking of an undue number from any particular State, and to distribute them over all the States. It can not be possible that you can not find at least one man in each of the forty-five States who would make a competent and worthy cadet at West Point. I believe in giving every State an opportunity.

Mr. HALE. Is not the President likely to do that?

Mr. TILLMAN. I will say to the Senator, no.

Mr. FORAKER. I do not know whether the President is likely to do it or not. He can or can not do it, just as he sees fit; but I do not believe in intrusting it to the President to select from where he pleases, except subject to proper limitations.

I did not think of the matter until it was suggested here, on the floor of the Senate, in this debate. I thought it was a good suggestion. I thought it was one we might with propriety incorporate in this bill, and that we might do it without being charged with having unnecessarily taken an hour of time. I notice that the Senator from Maine, when other people differ with him and take a little time, is always ready to talk about a waste of time and to say it might have been avoided if we had accepted the action of the committee and had adopted his particular views about it.

Mr. HALE. I have not suggested any views. I am in favor——

Mr. FORAKER. The Senator from Maine stated that we had wasted an hour, which might have been saved if we had accepted the action of the committee, but that Senators had insisted upon differing with the committee and upon differing with the distinguished Senator from Maine. I shall differ with the Senator from Maine when I see fit.

Mr. HALE. I do not think I stated that I thought the time was wasted, but I have a grave feeling that it has been.

Mr. FORAKER. I have not yielded to the Senator, and I have not heard what he said. I will hear him.

Mr. HALE. I am not criticising the Senator from Ohio. He is not a man who unduly uses up the time of the Senate or makes unduly long speeches. But I certainly had a right to feel as I did, particularly when the amendment which arrested the progress of the bill and used the hour that has been well taken, I will say, instead of wasted, clearly meant Senatorial appointments. I had a right to call attention to that, and to say that I did not think it was a seemly thing for the Senate. I did not mean to say that any Senator could not favor that and make a speech for it, but I thought it was an unseemly thing for the Senate to seem to be scrambling for these appointments. That does not cut off the Senator from Ohio or the Senator from Vermont, and it was a very proper and a very suitable remark for me to make and I still hold to that opinion.

Mr. FORAKER. I stated at the outset of this debate that I had no such intention and no such desire; but that does not seem to satisfy the Senator from Maine. He wants to go on insisting upon a suggestion as to motive that he knows is offensive to other Senators. I do not think the Senator ought to do it.

Mr. GALLINGER. Will the Senator from Ohio permit me a moment?

Mr. FORAKER. Certainly.

Mr. GALLINGER. A while ago there were a hundred or two hundred second lieutenants to be appointed in the Army. I happen to know that a good many Senators who are imputing wrong motives to certain other Senators and talking about Senatorial patronage traveled to the White House quite as often as I did to see that they got some of those appointments.

Mr. FORAKER. Yes. I think a good many Senators here, and some of them speaking in opposition, have been to the White House a good deal oftener than I have been there. I am not troubled about patronage. I am not scrambling for anything, I trust. But I do believe in West Point education for the officers of our Army, and I do believe that we need more educated officers in the Army than this bill provides for. I should like to see the whole number provided, and I am perfectly willing that it may be provided here that Senators shall not recommend at all or have anything to do with it, so far as I am concerned. That is not what I want. I want to see enough officers educated to meet the demands of the Army, and I want to get rid of the condition of things which we witness now of appointees to official positions from civil life being relieved from duty in order that they may go to a school of instruction and become instructed, so that they may command the men whom they have been appointed to command and do the duties they ought to be qualified to do as officers. That is the only purpose I have in view. I think it a commendable purpose, and I insist upon it.

Mr. SEWELL. I hope we may now dispose of the bill.

Mr. PROCTOR. Mr. President, I will take only a moment. My disposition would be to answer the Senator from Maine more forcibly, if it were possible, than the Senator from Ohio did, but as it is not in my power, I am glad to leave him to the tender mercies of that Senator. I disclaim any purpose of seeking patronage in proposing this amendment. I considered it perfectly proper and legitimate to propose an amendment identical with that which has been recommended unanimously from the Military Affairs Committee and which passed the Senate, and knowing the urgent need of the Army for more educated officers.

The system of distributing them among the States is in accordance with the policy of the present law. The law, to be sure, gives the appointment of all to the President, but custom has given one to each Representative. The recommendation comes from each Representative. It is merely carrying out the present theory and custom to give two at large. So far as I may have to do with the patronage, the custom in my State, which I should certainly carry out, is to have a competitive examination. I think it is a much better system to distribute these appointments through the different States, and I think we would get better appointments than to have them all at large.

Appointments to cadetships are sought for even more than an appointment to high rank in the Army. There will be hundreds of applications for these positions. Everybody who has no chance to get it from his own State will apply to the President. I for one think the amendment proposed by the Senator from Ohio is a wise one.

Mr. ALLEN. Mr. President, I do not propose, so far as I am concerned, to be shaken aside and to rest under the imputation expressed by the Senator from Maine. It is to be regretted that a Senator can not differ with that Senator or his associates without being classified as a man of sordid purposes and aims. The Senator says that the bill could have passed here long ago if these amendments had not been proposed. What is the bill here for? Is it here to be passed exactly as the committee recommends it, regardless of the wishes of a majority of this Chamber? Are all of us who do not serve upon the Committee on Military Affairs to sit down and fold our hands and witness the passage of this bill literally as reported, without protest and without vote, or is it here

for the purpose of being analyzed by Senators, and for the purpose of being amended if, in their best judgment, its provisions as reported are not right?

The number of Presidential appointees have been increased, I think, some 20 to 30. In the first place, there is no excuse offered for that increase. No man has offered a reason.

Mr. SEWELL. The Senator from Nebraska is mistaken. The number is 20 now.

Mr. ALLEN. I say 20 to 30. No man has offered a reason why the increase should be 150 per cent in these Presidential appointees. As a matter of fact, there is no reason, in my judgment, except that reason which has been disclosed here of providing soft jobs for the sons of officers.

Mr. SEWELL. I do not want the Senator from Nebraska to make such a mistake. I gave the reason for the increase. I gave the Department reasons, that with this increase it would not do for more than one or two branches of the service; that the cavalry and infantry would still be without a cadet next year.

Mr. ALLEN. I am perfectly willing to take the Senator's statement as expressive of his views, and I have no doubt he expresses his views honestly and conscientiously, as he always does intelligently, but the suspicion is upon my mind, and it amounts to a conviction to me, that underlying this provision of the law is the purpose of transferring almost one-half of the membership of West Point into the hands of the sons of officers of the Regular Army. I want to protest against it as unrepublican and un-American. It is proposed to build up an aristocracy here that will smell to heaven, so that the man in the moon as he passes over here will have to hold his nose.

Mr. SEWELL. The Senator also knows that the appointees to West Point come from the Representatives of the districts and the Delegates—350 or more.

Mr. ALLEN. The best soldiers this country ever had, or ever will have, are the volunteer soldiers from the different States and Territories. Who made more blunders during the civil war than the graduates of West Point? Who left more gaps in their armies, of two and three hundred yards, a quarter of a mile, so that the enemy might pour through unrestricted, on a dozen battlefields, than the graduates of West Point? Good, fair, intelligent citizens put upon a horse in command of an army would not be guilty of such a blunder. I am not going to call names, but I could stand here and call those names, if it were proper to do so.

I am not an enemy of this academy. I believe in the necessity of educating young men and forming the nucleus for a great army. I believe that yearly a certain number of students should be educated at this academy and the Naval Academy, but I do not believe in educating one man more at the expense of the Government than is necessary to go out in time of war and become an instrument in drilling and educating an army.

No man has ever yet pointed out a reason why the President should have this power except that he desired the power. It is a power that belongs to the people. They have a right, through their representatives, to say who shall represent them in the Military and Naval academies, as they have a right to say who shall represent them in the Executive Mansion and in the branches of Congress and in other branches of the public service. If the Senator from New Jersey will accept the amendment of the Senator from Ohio I shall have nothing further to say.

Mr. SEWELL. Yes.

The PRESIDENT pro tempore. The Senator from New Jersey accepts the modified committee amendment by accepting that.

Mr. PETTIGREW. Mr. President, I understand that section 4 is not necessary or essential to the bill. The law as it stands today provides for the number of cadets at West Point and the manner in which they shall be appointed. Therefore this must be general legislation, and I make the point of order against section 4 of the bill that it proposes general legislation and is not in order.

The PRESIDENT pro tempore. The Chair is of the opinion that the committee which had charge of the West Point appropriation bill were authorized to report such an amendment as this, and that it is not open to the objection that it is general legislation. It is open to the objection, if it were in the House, that it changes existing law.

Mr. PETTIGREW. I am opposed to the paragraph largely for the reasons given by the Senator from Nebraska. I have been a member of the Senate about eleven years, and I was for two years a member of the House of Representatives, and no person was ever appointed either to West Point or to the Naval Academy at Annapolis upon my recommendation. I never had or sought any patronage whatever in that direction. Yet I believe that the cadets should be chosen from the different States and from the body of our people. I do not believe we ought to build up in this country a military class. I believe it is contrary to the genius of our institutions and absolutely unnecessary.

The soldiers of a republic should fight only for the defense of their homes and the defense of their country. The soldiers of a republic should never be enlisted for conquest or for the subjection of any other people in the world. Therefore, the necessity with us for a standing army does not exist, except the skeleton, perhaps, of a standing army or a small body of troops to do the police duty of the country. The volunteers can do all the fighting a republic should ever do. That they can do better fighting than any other class of men in the world is proved by the wonderful exploits of the farmer soldiers of the South African Republic.

If England had outnumbered them but two to one, they would have destroyed England's army before this, and if there was anything left of it driven it into the sea. They have only been overcome by mustering an army of over ten to one. It did not require military training for those men to fight, not only with unparalleled courage, but with great ability and great skill, handling their men as men were never handled before. So I say the history of the world teaches us that it is not necessary that a republic should maintain a standing army; neither is a military education necessary to military success and military fame.

Under this provision we add 50 men each year to the cadets at West Point, selected by the President, and they will be from the military classes.

Mr. SEWELL. Will the Senator allow me to correct him? We do not add 50 every year, but 50 every four years.

Mr. PETTIGREW. Well, 50 every four years.

Mr. SEWELL. Let me say that that is only twelve and a half a year, and not a half of those graduate—only about 6 a year. So it adds very few officers to the Army.

Mr. PETTIGREW. We give this power of appointment to the President, and they will be selected from the military classes. I object to building up a military class in this country. Therefore I am opposed to increasing the number of men the President shall select. I am not opposed to it because I want any patronage. I am not opposed to it because I would have the patronage if it were in my reach, for I would leave it to somebody else to bestow.

Mr. HALE. Mr. President, what is the amendment of the Senator from Ohio?

The PRESIDENT pro tempore. The amendment has already been agreed to.

Mr. CHANDLER. I wish the committee in charge of the bill would allow section 1319 of the Revised Statutes to remain as it is.

Mr. FORAKER. Will the Senator from New Hampshire allow me, before we pass to any other matter? There are a few words, now that the amendment I have offered has been adopted, which should be stricken out, in order to make the bill harmonious. I call the attention of the Senator in charge of the bill to the fact, now that my amendment has been adopted, that the words, in line 11, "with the exception of the 50 cadets appointed from the United States at large" should be stricken out. The elimination of those words will make it harmonious and consistent. I move that they be stricken out.

Mr. SEWELL. That is quite satisfactory.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. In line 11, after the word "shall," it is proposed to strike out "with the exception of the 50 cadets appointed from the United States at large."

The amendment to the amendment was agreed to.

Mr. CHANDLER. Mr. President, I wish the committee would leave out section 5. Cadets now have to be well versed in reading, writing, and arithmetic, to have a knowledge of the elements of English grammar, descriptive geography, particularly that of the United States, and the history of the United States. That is a well-worded statute, and to substitute for it a discretionary examination by the Secretary of War it seems to me is no improvement. I wish the committee would omit that section, unless they have some very good reason for it.

The PRESIDENT pro tempore. To what section does the Senator from New Hampshire speak?

Mr. CHANDLER. Section 5.

The PRESIDENT pro tempore. Section 4 has not been agreed to. The question is on agreeing to section 4 as amended.

The amendment as amended was agreed to.

Mr. BACON. Did I understand the Chair to put the question on agreeing to section 4?

The PRESIDENT pro tempore. On section 4.

Mr. BACON. On the question of the adoption of the amendment as amended?

The PRESIDENT pro tempore. As amended.

Mr. BACON. I hope we may have a vote on that, but before a vote is taken I desire to say a word. Am I in order?

The PRESIDENT pro tempore. The Chair will regard it as an open question.

Mr. BACON. Mr. President, I do not desire to take any part in the discussion of the abstract question of the propriety of the appointment of these additional cadets or of the particular manner in which they shall be appointed. In the course of a short

time, after the conclusion of the term of service now running to a close, the soldiers in the Philippine Islands will return to this country. I think there is a great deal in the suggestion of the Senator from Missouri with respect to the very large number of young men who are now actively engaged in military service in the Philippine Islands. No one will question the fact that the schooling which they are now receiving will eminently qualify them to fill the positions of lieutenants in the Regular Army when their term of service shall expire. They are coming home next summer, and a very large proportion of them will desire to remain in the Army.

A very large proportion of those who are now holding commissions, as well as those who are noncommissioned officers, will naturally think that they should be preferred when the Government comes to increase the number of second lieutenants in the Army. They will be applicants for the positions. They have won the right to the consideration of the Government in the selection of those who shall be appointed to second lieutenancies.

Mr. KYLE. Will the Senator allow me?

Mr. BACON. Certainly.

Mr. KYLE. Does the Senator think that such appointees should be required to stand an examination?

Mr. BACON. That is a matter to be determined hereafter when we come to deal directly with it.

Mr. HARRIS. I suggest to the Senator from Georgia that before these cadets can be available for service four or five years will elapse.

Mr. BACON. Undoubtedly.

Mr. HARRIS. And in the meantime these lieutenants now in the service will have ample opportunities to be provided for without any interference.

Mr. BACON. That may be, but at the same time the number of those who will be seeking positions in the Army will be very large. I think we can very safely leave this until we come next winter to the question, as we undoubtedly will come to it, in respect to what shall be the size of the Army, how many commissioned officers we are going to have, how many lieutenants will be required. I am in favor of so shaping this matter as to give these young men, when they come back from the Philippines, the preference. Let them be appointed lieutenants, and there will be sufficient time, after they are provided for, to make provision for such increase in the number of cadets as may be necessary to supply the needs that may thereafter arise.

As to the question of examination, which the Senator from South Dakota [Mr. KYLE] suggests to me, I have not considered it, and I do not propose to express an opinion on it at this time.

Mr. KYLE. Will the Senator from Georgia allow me?

Mr. BACON. Certainly.

Mr. SEWELL. Will the Senator from Georgia allow me to state——

Mr. BACON. The Senator from South Dakota has asked me to yield, which I have done. After that I shall be glad to yield to the Senator from New Jersey.

Mr. KYLE. If the Senator expects to take these young men into the Army as lieutenants, I think his hopes will be disappointed, because not one of them could pass the examination required at the present time.

Mr. BACON. I do not understand that there is any intention to make any provision in this bill with reference to that matter. This is not a proper bill for that; it is a bill which relates to the Military Academy; but we will have before us next winter bills in which it will be proper to make provisions for it. I now yield to the Senator from New Jersey.

Mr. SEWELL. I desire to say to the Senator that this is a very small increase in the number of cadets. It will not materially affect the number of officers. We did present a bill here, and had it passed through the Senate unanimously, to appoint a hundred and ten. This is an increase of only thirty. I read a paper here from the Adjutant-General's Department, stating that the requirements of the Army next year will be short, leaving out entirely the cavalry and infantry, which are the largest branches of the service.

I have no doubt that even with this little increase, which will not affect us for four years, we will require next year from a hundred to a hundred and fifty young men, to be taken from the Army or from civil life. I have always been a believer in promotion from the ranks. A great many good young men, some of them graduates of colleges, have gone into the Army in the last two years to get commissions, as they are getting them gradually. I believe in that class of material. At the same time there are branches of the service like the engineer, the artillery, the ordnance corps, which require a higher state of technical knowledge than is likely to be acquired in the Army in the ranks, and for those we need an increase of cadets at West Point.

Mr. BACON. I simply desired to give my reasons why I shall vote against the amendment; and I hope we may have a vote upon it.

Mr. HAWLEY. What is the amendment pending?

Mr. ALDRICH. The committee amendment.

Mr. SEWELL. The committee amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

Mr. HAWLEY. Section 4?

The PRESIDENT pro tempore. Section 4.

The amendment as amended was agreed to.

The next amendment of the Committee on Military Affairs was, on page 32, after line 15, to insert as a new section the following:

SEC. 5. That section 1319, chapter 4, Title XIV, of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

"SEC. 1319. Appointees shall be examined under regulations to be framed by the Secretary of War before they shall be admitted to the Academy, and shall be required to be well versed in such subjects as he may from time to time prescribe."

Mr. CHANDLER. Mr. President, I think the committee on an appropriation bill ought not to change section 1319 of the Revised Statutes so as to strike out these very sensible requirements for admission to West Point:

Shall be required to be well versed in reading, writing, and arithmetic, and to have a knowledge of the elements of English grammar, of descriptive geography, particularly that of the United States, and of the history of the United States—

and put the authority wholly with the Secretary of War to prescribe such requisites for admission as he sees fit. Section 1319 as it stands is a very wholesome section, and I hope the amendment may be withdrawn by the committee.

Mr. SEWELL. I do not see that it makes much difference. It modifies somewhat the requisites for admission, so that the Secretary of War may take advantage of that modification. At the same time it is not of sufficient importance to make any contest over it, and I will agree that section 5 may be stricken out.

The PRESIDENT pro tempore. Section 5 goes out.

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

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

The bill was read the third time, and passed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 28) to remove the charge of desertion from the military record of James H. Waters;

A bill (S. 61) granting a pension to George Bunce;

A bill (S. 78) granting a pension to Samuel W. Childs;

A bill (S. 103) granting an increase of pension to Charles Critzer;

A bill (S. 163) granting an increase of pension to Dwight D. Wilber;

A bill (S. 169) granting a pension to George E. Tuttle;

A bill (S. 258) granting an increase of pension to Coryden Bevans;

A bill (S. 306) granting an increase of pension to Warren L. Eaton;

A bill (S. 314) granting a pension to Rosa L. Couch;

A bill (S. 410) granting an increase of pension to Harriet V. Gridley;

A bill (S. 539) granting an increase of pension to Fielding L. Rutherford;

A bill (S. 716) granting a pension to Susan Buck;

A bill (S. 756) granting a pension to Lydia F. Wiley;

A bill (S. 825) granting an increase of pension to Joseph B. Coons;

A bill (S. 847) granting an increase of pension to James B. Logan;

A bill (S. 1207) granting an increase of pension to Levi Chandler;

A bill (S. 1274) granting an increase of pension to Augustus C. Pyle;

A bill (S. 1364) granting an increase of pension to Henry H. Blockson;

A bill (S. 1441) granting an increase of pension to James G. Hartzell;

A bill (S. 1460) granting a pension to Charles A. Hutchings;

A bill (S. 1533) granting a pension to David Carroll;

A bill (S. 1548) granting an increase of pension to James Byrne;

A bill (S. 1551) granting a pension to John G. B. Masters;

A bill (S. 1552) granting an increase of pension to Helen L. Dent;

A bill (S. 1553) granting an increase of pension to Samantha Barnes;

A bill (S. 1569) granting a pension to Phebe E. C. Priestley;

A bill (S. 1593) granting an increase of pension to Clara H. Inch;

A bill (S. 1608) granting a pension to Eleanor R. Sullivan;

A bill (S. 1734) granting a pension to Mary S. Belding;

A bill (S. 1758) granting an increase of pension to Farnham J. Eastman;

A bill (S. 1776) granting a pension to John Carr;
A bill (S. 1822) granting an increase of pension to Isaac M. Shup;
A bill (S. 1831) granting an increase of pension to Henry H. Lewis;
A bill (S. 1901) granting a pension to Elvira Hunter;
A bill (S. 1907) granting an increase of pension to Rebecca Paulding Meade;
A bill (S. 1919) granting an increase of pension to Consolacion Victoria Kirkland;
A bill (S. 1975) granting an increase of pension to Annie D. M. Wood;
A bill (S. 2008) granting a pension to Flavel H. Van Eaton;
A bill (S. 2020) granting a pension to Sarah E. Fortier;
A bill (S. 2101) granting an increase of pension to George E. Scott;
A bill (S. 2142) for the relief of Anna Whitney Tarbell;
A bill (S. 2203) granting an increase of pension to William Taylor;
A bill (S. 2215) granting an increase of pension to Robert J. Koonce;
A bill (S. 2276) granting an increase of pension to George W. Ragland;
A bill (S. 2280) granting a pension to Horatio N. Cornell;
A bill (S. 2286) granting an increase of pension to John W. Craig;
A bill (S. 2296) granting an increase of pension to John J. Sears;
A bill (S. 2483) granting an increase of pension to Lewis C. Beard;
A bill (S. 2451) granting a pension to Jennie P. Stover;
A bill (S. 2539) granting an increase of pension to Milton H. Daniels;
A bill (S. 2550) granting an increase of pension to Charles W. Hobart;
A bill (S. 2651) granting a pension to Henry Hill;
A bill (S. 2795) granting an increase of pension to Christina Noll;
A bill (S. 2900) granting a pension to Hannah G. Huff;
A bill (S. 2938) granting an increase of pension to Joseph Longmire;
A bill (S. 2941) granting an increase of pension to Robert Gamble, jr.;
A bill (S. 2961) granting an increase of pension to Michael Lochard;
A bill (S. 2962) granting an increase of pension to William Blades;
A bill (S. 2977) granting an increase of pension to Jacob P. Fletcher;
A bill (S. 2993) granting an increase of pension to Edward Madden;
A bill (S. 3047) granting an increase of pension to William Mullevy;
A bill (S. 3058) granting an increase of pension to Harriet E. Meylert;
A bill (S. 3082) granting a pension to Elizabeth F. Wolfley;
A bill (S. 3154) granting an increase of pension to Kate Cadwell;
A bill (S. 3183) granting a pension to George W. Newell;
A bill (S. 3234) granting an increase of pension to Mary Yowell;
A bill (S. 3268) granting an increase of pension to Elisha F. Barton;
A bill (S. 3277) granting an increase of pension to Solon Cooper;
A bill (S. 3289) granting a pension to Isabella Underwood;
A bill (S. 3293) granting an increase of pension to Helen Harlow;
A bill (S. 3294) granting a pension to Louesa Moulton;
A bill (S. 3300) granting an increase of pension to Luke H. Monson;
A bill (S. 3314) granting a pension to Mary I. Bradbury;
A bill (S. 3329) granting an increase of pension to Kate B. Warren;
A bill (S. 3337) granting an increase of pension to Buren R. Sherman;
A bill (S. 3418) granting an increase of pension to Eliza Adelaide Ball;
A bill (S. 3467) granting a pension to Hellen Lang;
A bill (S. 3527) granting a pension to Edwin M. Farnham;
A bill (S. 3549) granting an increase of pension to William A. Keyes;
A bill (S. 3634) granting a pension to Mary P. Hunter;
A bill (S. 3662) granting an increase of pension to Louise D. Smith;
A bill (S. 3708) granting a pension to John H. Harrison;
A bill (S. 3788) granting an increase of pension to James Williams;
A bill (S. 3899) granting a pension to James Cook;
A bill (S. 3900) granting a pension to Sarah Clark;
A bill (S. 4006) granting an increase of pension to Edward M. Tucker;
A bill (S. 4007) granting an increase of pension to Bernard Dunn;
A bill (S. 4040) granting an increase of pension to Mary C. Gage;
A bill (S. 4077) granting a pension to Frances Horton Force;
A bill (S. 4087) granting an increase of pension to Ellen M. Mansur;
A bill (S. 4215) granting a pension to Belle Bean;
A bill (S. 4421) granting an increase of pension to Abert Brown; and
A bill (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the general deficiency appropriation bill.

Mr. PETTUS. Mr. President——

Mr. HALE. I will say to Senators that if Senators, perhaps at some expense of their personal convenience, will stay here for a couple of hours we can pass this bill. It is the last appropriation bill. The members of that committee will then go into conference rooms and be out of the way, and other business of the Senate can come up.

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

Mr. TELLER and others. Oh, no.

Mr. HALE. I hope not.

Mr. PETTUS. We have had no session for executive business for some time.

The PRESIDENT pro tempore. The Senator from Alabama moves that the Senate proceed to the consideration of executive business.

Mr. JONES of Arkansas. I appeal to the Senator from Alabama not to interfere with the consideration of this appropriation bill. Let us consider it, and after that the Senate can take up executive business. I am as much in favor of it as the Senator.

Mr. PETTUS. At what time?

Mr. JONES of Arkansas. Whenever we dispose of this appropriation bill.

Mr. HALE. I am very much in favor of getting the appropriation bills out of the way. I have two or three matters on the Calendar——

The PRESIDENT pro tempore. Does the Senator from Alabama withdraw the motion?

Mr. PETTUS. No, sir; I will let it go to a vote.

The PRESIDENT pro tempore. It is not debatable. The question is on the motion to proceed to the consideration of executive business.

The motion was not agreed to.

The PRESIDENT pro tempore. The Senator from Maine moves that the Senate proceed to the consideration of the deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11537) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PETTIGREW. I wish to have an understanding that no other legislative business shall be considered to-night after this deficiency appropriation bill.

Mr. CHANDLER. That is right.

Mr. HALE. That is right. There is no objection to that.

The PRESIDENT pro tempore. What is the Senator's proposition?

Mr. PETTIGREW. That no other legislative business shall be considered to-day but this deficiency appropriation bill.

Mr. ALDRICH. That is right.

Mr. HALE. I have no objection to that.

Mr. PETTIGREW. I ask unanimous consent that no other legislative business shall be considered to-day but the general deficiency appropriation bill.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent that no other business shall be considered to-day other than the general deficiency appropriation bill.

Mr. ALDRICH and Mr. TELLER. No other legislative business.

The PRESIDENT pro tempore. No other legislative business. Is there objection?

Mr. MORGAN. How long does that order last?

The PRESIDENT pro tempore. To-day.

Mr. HALE. Only to-day.

The PRESIDENT pro tempore. The Chair hears no objection. The Secretary will proceed to read the bill.

Mr. HALE. I ask that the formal reading of the bill be dispensed with and that the amendments of the Committee on Appropriations be first considered.

The PRESIDENT pro tempore. The Senator from Maine asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be

first considered in the reading. Is there objection? The Chair hears none.

Mr. HALE. I hope that Senators, as I said before, perhaps at some expense of personal convenience, will remain here so that we may pass this bill to-night. We can do it in two hours. But if Senators leave the Chamber and leave us without a quorum, any single Senator can stop the bill; and I have just been admonished that a Senator will call for a quorum, if a quorum disappears. So I am not asking too much or trespassing too much on Senators when I ask them to stay here until the bill is passed.

Mr. ALLEN. I should like to know what is the necessity for passing the bill to-night. It is now after 5 o'clock. What is the urgent necessity?

Mr. HALE. I will tell the Senator.

Mr. HAWLEY. That we may be able to adjourn next Wednesday.

Mr. HALE. Just as I stated last night, there is a great pressure in the Senate for other business. If we can pass this bill to-night, it will go into conference, and then all the appropriation bills, including this measure, will be out of the way of the Senate, and other business, important bills and all other bills, will come up, the Committee on Appropriations and the appropriation bills being out of the way.

We thought it was a good thing for the general business, because there are a good many measures that ought to pass outside of this bill, and as soon as we are out of the way, as two or three days will be needed for conferences, that time will be taken with other bills. If the bill goes over to-day, it will come up to-morrow, and it may take half of the day to-morrow. It is not a matter affecting me, but I am willing to stay and pass the bill to-night, so that we will be out of the way.

Mr. ALLEN. I understand the Senator is opening the way for political action?

Mr. HALE. No; not for political action.

Mr. ALLEN. The Senator from Rhode Island says to me, "Yes."

Mr. ALDRICH. For any kind of action.

Mr. HALE. I am willing to leave that to the Senator.

Mr. ALLEN. I am rather under the impression that the other side has the floor preempted for the balance of the session, if we are to adjourn on Wednesday next.

Mr. HALE. I do not think so. I think the Senator will have a fair chance.

Mr. TELLER. If they have, we will give them notice that they can not hold it.

Mr. ALLEN. I do not know about that. I think there is great tenacity of purpose on the other side.

Mr. HALE. Seriously, there are a good many important measures on the Calendar that ought to be taken up, and we want to get this appropriation bill out of their way.

Mr. ALLEN. Four days of the time of the Senate within the last week or the last ten days have been consumed by the other side of the Chamber in making partisan political speeches for distribution this fall for campaign purposes. They were made for no other purpose except to deceive and mislead unsuspecting voters, and I think those speeches need a careful analysis and an explanation given before the Senate adjourns.

I do not think it is a matter of life and death that we shall adjourn on Wednesday next. While I do not propose to obstruct this bill or any other bill, I do not feel that it should be railroaded through the Senate to-night or at any other time for the mere accommodation of the political claptrap that is to follow. We have stayed here now until after 5 o'clock, and there is no reason why we should not meet at 11 o'clock to-morrow morning and take up this bill and read it through and pass it. I do not suppose it will lead to much debate.

Mr. TELLER. Let us go on to-night.

Mr. HALE. We can finish it to-night very easily.

Mr. JONES of Arkansas. I hope there will be no objection to going on with this bill to-night. It is in the interest of the public business that the bill shall be disposed of. As the Senator from Maine has suggested, it may be of some personal inconvenience to Senators to remain here for an hour or two, but I hope by general consent it may be done, and to-morrow and Monday and Tuesday can be devoted to the consideration of measures on the Calendar that ought to be considered before we adjourn. I think we can adjourn easily by the middle of the week, and it is a good thing to have an early adjournment if possible. I hope that nobody will object, and I trust my friend from Nebraska will not interpose any objection to the present consideration of the bill.

Mr. ALLEN. I am very much gratified to know the views of the Senator from Arkansas, but very sorry indeed to disagree with him. I do not think there is any necessity for adjourning this session of Congress on Wednesday next. While I do not propose to do anything to lengthen the session, while I am extremely anxious to get home and to get away from this climate, I do not think the public business should be whistled down the wind without consideration simply to meet the convenience of Senators.

Mr. CHANDLER. Has the Senator any objection to our starting on the bill now and going as far as we can with it to-day?

Mr. ALLEN. It is started now, and it is after 5 o'clock. Why not adjourn and come here to-morrow morning at 11 and take up the bill?

Mr. HAWLEY. I call for the regular order.

Mr. ALLEN. We can probably take it up to-morrow and pass it in an hour or two, and why should we stay here until 7 or 8 o'clock in the evening to-day?

Mr. HALE. The Senator is an old legislator here, and of course he knows how these things run at the end of a session. I think he must feel that it is not unreasonable. We have a very full Senate here and we can utilize a couple of hours now and dispose of this bill. Of course the Senator can stop it, and nobody knows how much time will be used up to-morrow.

Mr. ALLEN. Here is a bill embracing appropriations to the amount of $10,000,000——

Mr. HALE. It is a very small deficiency bill.

Mr. ALLEN. And the Senator proposes to run it through the Senate, I suppose, skipping half of it in the reading, as is the custom here, within an hour.

Mr. HALE. Let me tell the Senator that there has not been so small a deficiency bill reported for ten years as is the case this year. It is almost the smallest deficiency appropriation bill that I have ever reported. There are no big items in it. It is only cleaning up debts and audited accounts from the Departments that citizens have been waiting for, and that they are waiting for now, and it is paying the debts of the Government in a small way. There is less controversy in the bill than any deficiency bill I ever saw passed. Hundreds of men, humble men, are waiting for the payment of their audited accounts that have come in from the Treasury, and those comprehend nineteen-twentieths of the items in this bill. I hope the Senator will not interfere. Of course he can test the sense of the Senate by moving to adjourn, but I hope he will not do that.

Mr. ALLEN. I do not want to interfere, and I am not going to interfere——

Mr. CULLOM. Then let us go ahead with the bill.

Mr. ALLEN. If the Senator will permit me to make an observation, the Senator seems to favor the necessity of the passage of the bill on the ground that it provides for the payment of a great many little accounts. That is true. We have a great many millions of dollars of accounts that are equally as meritorious as the items in this bill, and no provision whatever has been made for an appropriation to pay them.

I think, Mr. President, I am safe in saying that the Government owes $100,000,000 of honest claims that no steps have been taken to pay, and I dare say if a Senator should rise here and offer one of those claims as an amendment to this bill the Senator from Maine would be upon his feet with lightning-like speed to raise an objection under Rule XVI and prevent it from being incorporated in the bill.

Now, I do not want to obstruct this measure, and I shall not do so. I want to appeal to the Senator from Maine not to press this bill to-night. It came in here only yesterday. Nobody has had an opportunity to read it, other measures being before the Senate. Let us adjourn until 11 o'clock in the morning, and having had an opportunity in the meantime to read all the provisions of the bill, we will then take it up and finish it.

Mr. HALE. Let me say, in answer to that appeal, I can not do that. I should be running counter to the sentiments of the Senate.

Mr. ALLEN. I have seen the Senator in that attitude before.

Mr. HALE. This matter came up last night, and it was stated here on the floor that if we could have to-day—and all Senators understood we could have to-day—we would pass the only two remaining appropriation bills. This is the last one.

Mr. ALLEN. Suppose we do pass it, then what?

Mr. HALE. Then we are out of the way.

Mr. ALLEN. Then what have you got to do?

Mr. HALE. We are out of the way.

Mr. ALLEN. Out of the way of what?

Mr. HALE. We can take up the Calendar and take up important bills; take up everything the Senator from Nebraska or any other Senator is interested in.

Mr. CULLOM. Or make speeches.

Mr. HALE. Or Senators can make speeches if they choose. I am trying to get out of the way. Of course if the Senator wants he can test the sense of the Senate. I will submit to that. He can make a motion to adjourn.

Mr. ALLEN. The Senator knows very well that there is scarcely a bill on the Calendar that can be passed at this hour that will pass the House of Representatives.

Mr. HALE. Senators have bills on the Calendar that they expect to get through.

Mr. ALLEN. That has been the experience heretofore.

Mr. HALE. Then let us take the sense of the Senate. I hope

the Senator will let us go along with the bill at this time, because certainly that is the feeling of the Senate.

Mr. ALLEN. I have no power to obstruct the bill, I suppose. Whatever the committee in charge of the bill may say about it I suppose is a finality, and nobody has a right to open his mouth in protest without incurring the displeasure of that august organization. It has been my pleasure, Mr. President, through my life to incur the ridicule and the offense of a great many good people, a great many organizations, and I do not know but that I can stand this in addition to what I have already received.

There is not a modicum of good sense in pushing this bill to-night. There is no reason why we should sit here until 7 or 8 o'clock or later than that and push through a bill that carries with it millions of dollars of public money, when Senators have not had an opportunity to read it and will hear it when read in an imperfect and disjointed way for the first time at the Clerk's desk. We know what the custom is here. There is no use of secreting the fact. The reading clerk on his own volition or on the suggestion of some person is in the habit of jumping and skipping paragraphs and pages of appropriation bills carrying millions of dollars, and they are never read, never considered, and I presume the same practice will be followed in the reading of this bill.

Now, after a session lasting from 11 o'clock until, practically, half past 5 o'clock, without an opportunity to read or study this bill or its provisions, the committee propose to take it up and push it through within an hour, that the way may be cleared for the consideration of other business that may be called up from the Calendar. I say to the Senator from Maine he can not make any progress in pushing this bill to-night. The bill can not pass to-night and be given the consideration that it is entitled to. Why not save time and adjourn at this hour until 11 o'clock to-morrow morning, giving every Senator an opportunity to take a copy of the bill to his office or his house and study its provisions and come in in the morning and determine what ought to be done? There is no reason why we should not do that.

Mr. ALLISON. I suggest to the Senator from Nebraska that this bill largely consists of audited accounts of the different Departments. It is rather a matter of routine, with the exception of two or three items. Why not see if we can not make some progress to-night? And if we get too tired, after a while we can adjourn.

Mr. ALLEN. For myself, I should like to have some opportunity to look into the bill. I observe in glancing through it, as I could divide my attention between it and the bill which has just passed, that there are several provisions which, in my judgment, ought to be modified materially before they are permitted to pass. Yet the Senator in charge of the bill does not propose to give any person the slightest opportunity to examine it.

Mr. HALE. This bill has been here for days. When I reported it days and days ago I announced that as soon as the sundry civil bill was passed I would call it up.

Mr. ALLEN. It was reported only a few days ago.

Mr. HALE. Now the Senator is declaring that he will not let the public business proceed. I hope the Senate will stand by this proposition, and let the Senator, if he wants, make a motion to adjourn; test the sense of the Senate as to how it feels about this matter. Of course that is his right. He and I are fellow-members of the Senate. It is not a question of my bill that I want to have passed; I am seeking to pass a bill that is not thrust upon the Senate. It has been here for a week. Everybody has had an opportunity to examine it.

Mr. ALLEN. I want to correct the Senator from Maine. The bill was reported on the 29th day of May.

Mr. HALE. That is almost a legislative week.

Mr. ALLEN. Two or three days ago.

Mr. HALE. It was reported on Tuesday, and now it is Friday. I am seeking its passage not for my own convenience. I sacrificed some matters that have been of great personal comfort to me to be here and have this bill passed to-day. Now, if the Senate wants to adjourn, the bill will go over until to-morrow morning. Let the Senator make a motion to adjourn and see how Senators feel about it.

Mr. ALLEN. I do not want to make a motion of that kind. I want the Senator from Maine to make the motion.

Mr. HALE. I can not. I want to go on with the bill.

Mr. ALLEN. I do not want——

Mr. HALE. The Senator can keep on talking, of course, if he desires.

Mr. ALLEN. The Senator is protesting. I shall stand by him, and possibly this side may, until a later hour.

Mr. HAWLEY. The Senator does not know how interesting this bill is. It is important. Let me read a few items as a sample:

For vaults, safes, and locks for public buildings, $19.51.
For suppressing counterfeiting and other crimes, $1.05.
For repairs and preservation of public buildings, $46.58.
For contingent expenses, Independent Treasury, 10 cents.
For contingent expenses, office of Director of the Mint, 60 cents.
For support of Crows—subsistence, $3,381.61.

I suppose those are Indians.

Mr. ALLEN. I think the amounts just read by the Senator represent about the value of his remarks, but possibly that valuation is a little high.

Mr. TURNER. I hope the Senator from Maine will not go beyond the reading of the bill to-day, at any rate. I have some matters that I should like to present in the way of amendment.

Mr. HALE. I can do nothing.

Mr. TURNER. I am not prepared to present them to-night.

Mr. ALLEN. I am perfectly willing, if the Senator will permit me, that after the conclusion of the reading of the bill it shall go over. That course will be satisfactory to me.

Mr. TURNER. I wish to make a statement. Understanding that the bill is of the character indicated by the Senator from Maine, providing for the payment of just claims, I offered an amendment providing for the payment of three just claims in my State, which were favorably reported to the Committee on Appropriations by the Committee on Public Lands. I do not find that the Appropriations Committee has taken any notice of them. I desire to have an opportunity to offer evidence in favor of their justice.

Mr. HALE. The Senator will have that opportunity. There are a great many amendments, concerning some of which the papers did not appear before the committee, that are not in the bill. If the Senator or any other Senators have amendments to offer, there will be ample opportunity. The reading of the bill will not take more than an hour.

Mr. TURNER. If the amendments I offered are to be contested by the committee, it will be necessary for me to have some data.

Mr. HALE. I do not suppose they will be contested if they are not subject to a point of order. Certainly I would not undertake to contest them if they come in from the Department. It is always the case on a deficiency bill that there are a great many things that do not get to the committee and yet are brought in from the Department, and perhaps after the committee has had time to consider them they are put on the bill afterwards.

I feel about this matter that it is not a question as to what I shall do. A single Senator appeals to me to give way and to let the bill go over, when for the last twenty-four hours everybody has understood that we would take the bill up and try to get it through to-day. I am appealed to now by every Senator about me here and by Senators on the other side to go on with the bill. It must rest with the Senator himself whether he will let the bill go on.

Mr. ALLEN. I am not obstructing the bill.

Mr. HALE. The Senator can make a motion to adjourn.

Mr. ALLEN. I do not want to do that.

Mr. HALE. The Senator can do it if he chooses. I can not help that.

Mr. ALLEN. I do not want to do that. I want to appeal to the reason of the Senator from Maine that, under the circumstances, we shall adjourn now until 11 o'clock to-morrow.

Mr. HALE. I can not consent to that.

Mr. ALLEN. And take up this bill in regular order to-morrow.

Mr. HALE. I can not consent to that, because of the general understanding in the Senate. We can go on to-night, and we can finish the bill. We could have finished it by this time if the Senator had not intervened.

Mr. ALLEN. That may have been the understanding with four or five Senators. I do not know to what extent it was the understanding. It has not reached this corner of the Chamber.

Mr. HALE. The Senator can test that by a motion to adjourn.

Mr. ALLEN. I do not like to test the sense of the Senate by a motion to adjourn. I know of several ways by which I could prevent the passage of this bill if I wanted to do so. I do not want to prevent the passage of the bill. I do not like to be forced into this proceeding. I do not like this idea of coercion. I do not like this assumption of superiority and dictatorial methods and the manner in which these measures are presented. The Senator from Maine seems to think that if he wants anything it is an offense, if it does not amount to the dignity of a crime, for any man to protest against it, and that that man is to be visited with his displeasure.

There are important items on this bill that I do not want to see adopted to-night, before I have had an opportunity to look into them. I have not had that opportunity. I am not asking to-night that which has not been uniformly accorded to a Senator asking it in this Chamber at this hour of the night, that we shall pass over a measure until the next legislative day, especially when I am perfectly willing to concede that the Senate shall meet, as it has done for the last few days, one hour earlier than usual.

Mr. TILLMAN. I hope the Senator will consent to let the bill be read, and then, if necessary, we can come to an agreement to adjourn without any final action, but simply to get through with that much.

Mr. ALLEN. If we get through with the reading, we will be no nearer a conclusion than now.

Mr. TILLMAN. We will have saved at least an hour.

Mr. ALLEN. You are then confronted with the same difficulty, whether you adjourn or not. If the Senate will agree, after the reading of the bill, to adjourn until to-morrow morning at 11 o'clock, I think we can reach an understanding that it shall go over without action upon the amendments that are contested. I submit that proposition to the Senator from Maine.

Mr. TILLMAN. In view of the request of the Senator from Washington [Mr. TURNER], in regard to having some amendments that he wishes to propose and that are not contested, I suppose there will be no occasion for any further postponement of a vote, unless discussion arises on some of the other amendments that may be proposed.

Mr. HALE. I have no objection if we can go through with the bill and take up the committee amendments and consider amendments as they are offered, so that we shall get through with the main substance of the bill, which we can do in a short time. Then if a Senator has any matters that he wants reserved, and wants the bill to go over until to-morrow, I will consent to that, because that will practically do the business the Senate has in hand, and we shall not take up any time to-morrow. I am entirely willing to agree to that.

Mr. ALLEN. Will the Senator agree after the bill has been read and the Senate committee amendments that are uncontested have been adopted, he will then move to adjourn until to-morrow morning at 11 o'clock, without taking the bill out of the Committee of the Whole?

Mr. HALE. Yes. I should like to consider amendments that Senators now are ready to propose; and in view of something being in the bill that the Senator wants, perhaps, to contest, and from which he does not want to be shut off by final action to-night, I am entirely willing that when we get through with the reading of the bill and the consideration of the committee amendments, the bill shall go over until to-morrow.

Mr. ALLEN. And there shall be action on amendments that are not contested.

Mr. HALE. And any other amendments that are ready to be offered. Then I shall be entirely willing that the bill shall go over until to-morrow morning.

Mr. ALLEN. The Senator is going altogether too far. After we act on amendments that are not contested, amendments that are acceptable, why not adjourn then?

Mr. HALE. All right.

Mr. ALLEN. Then, I suppose, there is a distinct understanding that we shall go through the bill now, read it through, and if there are contested amendments they are to be passed over, and when we reach the end of the bill and the committee amendments that are not contested, we shall adjourn until 11 o'clock tomorrow.

Mr. HALE. That is not very bad, because that disposes of the large part of the bill. If there are any contested amendments, I am entirely willing that they shall go over until to-morrow.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the bill.

The Secretary proceeded to read the bill, and read to line 9 on page 2.

Mr. HALE. There are some corrections that, as committee amendments, I want to make as we go along. On page 2, line 7, I move to strike out "$24,928.26" and insert "$25,053.21."

The amendment was agreed to.

Mr. HALE. On page 2, lines 12 and 13, I move to strike out the amount named, "$34,444.49" and insert "$34,968.10."

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 23 on page 2.

Mr. HALE. In line 22 on page 2 I move to strike out "$21,946.78" and insert "$24,497.21."

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 3 on page 3.

Mr. HALE. I move the amendment, in line 2 on page 3, which I send to the desk.

The SECRETARY. On page 3, line 2, after the date "1898," it is proposed to strike out "$5,053.15," and insert "$5,119.71;" so as to make the clause read:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation for "Contingent expenses, United States consulates," for the fiscal year 1898, $5,119.71.

The amendment was agreed to.

The reading of the bill was resumed. The first amendment reported by the Committee on Appropriations was, under the subhead "Foreign intercourse," on page 3, after line 17, to insert:

To pay Edward Bedloe, late consul-general at Canton, China, the amount of salary still unpaid from December 8, 1898, to January 15, 1900, at the rate of $3,500 per annum, $3,097.41.

The amendment was agreed to.

The next amendment was, on page 3, after line 23, to insert:

To pay Ramon O. Williams, late consul-general at Havana, the amounts necessarily expended by him for clerk hire in excess of his allowances between July 1, 1892, and June 5, 1896, $2,222.08.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

To pay Joseph A. Springer, vice-consul-general at Havana, the amounts necessarily expended by him for clerk hire in excess of his allowances between October, 1892, and June 30, 1895, $200.54.

The amendment was agreed to.

The next amendment was, on page 4, after line 9, to insert:

To enable the Secretary of State to carry into effect the act approved August 3, 1894, entitled "An act for the disposal of the accretions of the Virginius indemnity fund," $2,288.03.

The amendment was agreed to.

Mr. HALE. On page 5, line 4, the amount there should be changed to "$1,432.82."

The SECRETARY. On page 5, line 4, it is proposed to strike out "$1,032.15" and insert "$1,432.82;" so as to make the clause read:

For the fiscal year 1900, $1,432.82.

The amendment was agreed to.

Mr. HALE. In line 13 on page 5 I move the amendment which I send to the desk.

The PRESIDING OFFICER [Mr. GALLINGER in the chair]. The amendment will be stated.

The SECRETARY. On page 5, line 13, after the date "1900," it is proposed to strike out "$1,997.98," and insert "$3,152.78;" so as to make the clause read:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Contingent expenses, Treasury Department: File holders and cases," for the fiscal year 1900, $3,152.78.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Treasury Department," on page 5, after line 14, to insert:

For purchase of file holders and file cases, $5,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 16, to insert:

Distinctive paper for United States securities: For paper, including transportation, salaries of register, two counters, five watchmen, one laborer, and expenses of officer detailed from the Treasury as superintendent, $14,383.20.

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to insert:

Vaults, safes, and locks for public buildings: For vaults, safes, and locks, and repairs to the same, for all public buildings under control of the Treasury Department, exclusive of personal services, except for work done by contract, $2,500.

The amendment was agreed to.

The next amendment was, on page 8, line 9, before the word "hundred," to strike out "one" and insert "two;" so as to make the clause read:

Collecting the revenue from customs: To defray the expenses of collecting the revenue from customs, being additional to the permanent appropriation for this purpose, for the fiscal year 1900, $200,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 18, to insert:

Refund to John W. Bero: To refund to John W. Bero, deputy collector of customs, port of Plattsburg, N. Y., the amount of certain public moneys forwarded by him August 1, 1899, by registered mail from Hogansburg, N. Y., to Plattsburg, N. Y., which money was taken from the safe in the postoffice at Rouse Point, N. Y., on the occasion of a burglary committed therein on the night of August 2, 1899, the sum so stolen having been made good to the United States by said John W. Bero, $23.60.

The amendment was agreed to.

The next amendment was, on page 11, after line 4, to insert:

Refund of fine, steamer *Palatia:* To refund to the collector of customs at New York, N. Y., for payment by him to the person or persons entitled to receive the same, the sum of $50, being the amount of a fine imposed in the case of Scheine Gluckmann, a passenger on the Hamburg-American steamer *Palatia* on or about January 14, 1900, since remitted by the Secretary of the Treasury, the original amount having been covered into the Treasury prior to said remission.

The amendment was agreed to.

The next amendment was, on page 11, after line 19, to insert:

Payment to Capt. B. Tellefsen: To enable the Secretary of the Treasury to pay Capt. B. Tellefsen, master of the Norwegian steamer *Albert*, for expenses incurred by him in consequence of a violation of Article XIII of the treaty of commerce and navigation of the year 1827, between the United States of America and the Kingdom of Sweden and Norway, by an officer of the city of Boston, Mass., on the 18th day of July, 1892, $293.96.

The amendment was agreed to.

The next amendment was, on page 12, after line 4, to insert:

Payment to owners of schooner *J. R. Carroll:* For payment to the owner or owners of the schooner *J. R. Carroll* as compensation for damages sustained by said schooner in consequence of a collision with the steam launch attached to the U. S. S. *A. D. Bache* in Eastern Bay on the night of October 4 and 5, 1899, $100.

The amendment was agreed to.

The next amendment was, on page 12, after line 11, to insert:

Payment to heirs of Diedney Read: To enable the Secretary of the Treasury to pay to the legal representatives of Diedney Read, deceased, $450, being

the amount appropriated to said Diedney Read under the name of Dildeny Read by the "Act making appropriations for the payment of claims reported allowed by the Commissioners of Claims under the act of Congress of March 3, 1871, and acts amendatory thereof," approved June 14, 1880, and still remaining in the Treasury.

The amendment was agreed to.

The next amendment was, on page 13, line 17, after the word "dollars," to insert "Capt. H. C. Newcomer, $246.88;" in line 22, before the word "dollars," to strike out "ten" and insert "sixteen;" in line 25, after the word "cents," to insert "Maj. W. H. Bixby, $168.56; Maj. Charles F. Powell, $56.30; Lieut. Col. Charles J. Allen, $9.88;" and on page 14, line 7, before the word "cents," to strike out "one hundred and sixty-six dollars and forty" and insert "six hundred and forty-seven dollars and two;" so as to make the clause read:

Credit in accounts of certain officers, Corps of Engineers: Authority is hereby granted to the proper accounting officers of the Treasury to allow and credit in the accounts of certain officers of the Corps of Engineers of the United States Army amounts standing against them on the books of the Treasury as follows: Capt. William E. Craighill, $16.30; Capt. C. H. McKinstry, $45; Capt. H. C. Newcomer, $246.88; Maj. Charles W. Raymond, $61.48; Maj. Thomas L. Casey, $21.32; Maj. H. M. Adams, $2,616.40; Maj. E. H. Ruffner, $40.80; Maj. R. L. Hoxie, $44.67; Maj. C. McD. Townsend, $31.92; Maj. W. H. Bixby, $168.56; Maj. Charles F. Powell, $56.30; Lieut. Col. Charles J. Allen, $9.88; and Lieut. Col. W. A. Jones, $288.51; in all, $3,647.02.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Engraving and Printing," on page 15, after line 20, to insert:

For rent of office now occupied by agent of the Post-Office Department to supervise the distribution of stamps of the Bureau of Engraving and Printing, at a rental of $50 per month, $600.

The amendment was agreed to.

The next amendment was, under the subhead of "Public buildings," on page 19, after line 9, to insert:

Public building, Sioux City, Iowa: The sum of $3,000 of the unexpended balance of the appropriations for said building is hereby authorized to be used for the installation therein of a tower clock.

The amendment was agreed to.

The next amendment was, under the head of "Fish Commission," on page 20, line 18, to increase the appropriation for completion of the fish-cultural station of the United States Commission of Fish and Fisheries at Edenton, N. C., from $6,000 to $10,000.

The amendment was agreed to.

The next amendment was, on page 21, line 17, after the word "balance," to insert "amounting to $1,275.17;" so as to read:

That the unexpended balance, amounting to $1,275.17, of the appropriation of $195,300 for "Miscellaneous expenses, Fish Commission, 1899," made in the sundry civil act approved July 1, 1898, is hereby made available for payment of liabilities incurred during the fiscal year 1899, etc.

Mr. HALE. On page 23, line 19, I wish to offer an amendment, and I will state that these changes are in consequence of additional estimates which have come in since the bill has been reported by the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 23, after line 19, it is proposed to insert:

For completing an index of the laws respecting the municipal government of the District of Columbia, $300.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 24, after line 24, to insert:

To pay W. B. Moses & Sons the difference in price between bill as rendered and paid, for blueboards for the Western High School, and that for which bill should have been rendered, $175.

The amendment was agreed to.

Mr. HALE. I move an amendment on page 26, line 17, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 26, line 17, after the word "session," it is proposed to insert "and on page 3 of Senate Document No. 413;" and in the same line to strike out "$10,572.33" and insert "$10,592.48;" so as to make the clause read:

Judgments: For the payments of judgments, including costs, against the District of Columbia, set forth on page 9, House Document No. 642, of this session, and on page 3 of Senate Document No. 413, $10,592.48.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 6, on page 27.

Mr. HALE. On page 27, after line 6, I move to insert what I send to the Secretary's desk. These are additional estimates which have come in since the bill was reported.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 27, after line 6, it is proposed to insert:

Writs of lunacy: For amount required to pay the clerk of the supreme court of the District of Columbia fees in lunacy cases, $1,500.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 18, page 27.

Mr. HALE. After line 18, on page 27, I move to insert what I send to the desk.

The SECRETARY. After line 18, on page 27, it is proposed to insert:

For repairs to buildings, $3,500.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Military establishment," on page 31, after line 7, to insert:

For the reimbursement of necessary transportation and traveling expenses, including railroad fare, sleeping-car fare, transfers, meals, and lodgings en route or during necessary delays, of nurses employed by the Medical Department of the Army since April 30, 1898, incurred in traveling upon public business from their homes to the places of service and subsequently on changes of station and return to their homes, whose claims may have heretofore been disallowed by the accounting officers of the Treasury on the ground that the terms of the written contracts made with the nurses did not entitle them to the allowances in question, excepting the 218 claims forwarded by the Quartermaster-General to the Auditor for the War Department on or about February 27, 1899, which have been otherwise provided for, $4,000: *Provided*, That all other such claims now pending or that may hereafter be presented shall be allowed and paid from the regular appropriations applicable to the payment of transportation and traveling expenses of civilian employees of the Army, in like manner as if the terms of the written contracts entitled the nurses to such allowances; but the amounts allowed shall in no case exceed the amounts authorized by the War Department in regulations governing the matter, nor the amounts stipulated in the written contracts if the latter expressly provide therefor: *And provided further*, That disbursing officers of the Quartermaster's Department who have paid or shall hereafter pay accounts for such expenses shall be given credit for all such payments upon proper vouchers.

The amendment was agreed to.

Mr. HALE. On page 31, at the end of line 7, I offer the amendment which I send to the desk.

The SECRETARY. On page 31, at the end of line 7, it is proposed to insert:

To pay the amount found due by the accounting officers of the Treasury on account of the appropriation "Transportation of the Army and its supplies for the fiscal year 1898," $720.96.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 15, on page 37, in the clause making appropriations for the pay of the Navy.

Mr. HALE. On page 37, line 15, I move to strike out "Habana" and insert "Havana."

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 6 on page 40.

Mr. HALE. I move an amendment in line 5, which I send to the desk.

The SECRETARY. In line 5 on page 40, after the date "1900," it is proposed to strike out "$765.33" and insert "$3,046.45;" so as to make the clause read:

For transportation, recruiting, and contingent, Bureau of Navigation, 1900, $3,046.45.

The amendment was agreed to.

Mr. HALE. I move to amend, on page 40, line 9, by inserting what I send to the desk.

The SECRETARY. On page 40, after line 9, it is proposed to insert:

For outfits for naval apprentices, Bureau of Navigation, 1898 and 1899, $8,153.98.

The amendment was agreed to.

Mr. HALE. After line 14 on the same page I move to insert the three clauses which I send to the desk.

The SECRETARY. After line 14, on page 40, it is proposed to insert:

For contingent, Bureau of Ordnance, 1898 and 1899, $528.
For contingent, Bureau of Medicine and Surgery, 1898, $411.55.
For repairs of barracks, Marine Corps, 1898 and 1899, $292.51.

The amendment was agreed to.

Mr. HALE. The total in line 17, on page 40, should be corrected so as to read "$17,749.19."

The SECRETARY. In line 17, on page 40, it is proposed to increase the total appropriation for "General account of advances" from "$6,082.03" to "$17,749.19."

The amendment was agreed to.

The reading of the bill was resumed, and continued to the end of line 16, on page 41.

Mr. HALE. After line 16, on page 41, I move to insert what I send to the desk.

The SECRETARY. On page 41, after line 16, it is proposed to insert:

To pay amount found due by the accounting officers of the Treasury on account of the appropriation "Transportation, recruiting, and contingent, Bureau of Navigation," $4,819.77.

The amendment was agreed to.

The reading of the bill was continued to the end of line 2, page 45.

Mr. HALE. On page 45, at the end of line 2, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

To pay to the Cleveland Steamship Company damages done to the merchant steamer *M. A. Hanna* by the U. S. S. *Michigan*, on October 15, 1899, by means of a collision with said steamer, $627.57.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Miscellaneous, Navy," on page 45, after line 2, to insert:

To reimburse Theodore J. Arms, assistant paymaster in the United States Navy, for the loss which occurred by reason of the robbery of his safe at the United States naval station, San Juan, Porto Rico, March 10, 1899, he having made the same good to the United States, and the said loss having occurred through no fault or negligence on his part, $2,479.03.

The amendment was agreed to.

The next amendment was, on page 45, after line 11, to insert:

Repairs of buildings, Interior Department: For repairs of Interior Department and Pension buildings and of the old Post-Office Department building occupied by the Interior Department, $3,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 15, to insert:

For removal of offices of the Interior Department to the old Post-Office Department building, $500.

The amendment was agreed to.

The next amendment was, on page 45, after line 17, to insert:

Contingent expenses, Interior Department: For postage stamps for the Department of the Interior and its bureaus, as required under the Postal Union, to prepay postage on matter addressed to Postal Union countries, $629.

The amendment was agreed to.

The next amendment was, on page 45, after line 22, to insert:

Reimbursement of George W. Evans: To reimburse George W. Evans, disbursing clerk, Department of the Interior, the amount disallowed in the settlement of his account Repairs of buildings, Department of the Interior, 1889, quarter ended March 31, 1899, on account of payments made by him by direction of the Secretary of the Interior, for cleaning snow from the sidewalks around the several buildings of the Interior Department during the winter of 1899, $166.75.

Mr. HALE. In line 1, page 46, I move to amend the amendment by striking out "1889" and inserting "1899."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to the end of the line 11, page 46.

Mr. HALE. On page 46, after line 11, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

To pay for electric chandeliers for the corridors and committee rooms of the Senate wing, to replace worn-out and obsolete gas fixtures, $1,500.

Mr. HALE. After the amendment just adopted, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

To pay for mahogany doors for the Marble Room, President's Room, and room of the Committee on Finance, $949.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 46, after the amendment just adopted, to insert:

Steam heating and machinery, Senate wing: To pay the Otis Elevator Company for special repairs to Senate elevators, $202.

The amendment was agreed to.

The next amendment was, on page 46, line 16, before the word "Electric," to strike out "Washington" and insert "Westinghouse;" so as to make the clause read:

Lighting Capitol grounds: To pay the Westinghouse Electric and Manufacturing Company for additions and repairs to the switchboard dynamo rooms of the Senate and House, $1,716.24.

The amendment was agreed to.

The next amendment was, on page 47, after line 2, to strike out:

To pay to Albert F. Easley, deputy surveyor, for surveying and establishing the exterior and connecting lines of the "Galisteo grant allotments" in Santa Fe County, N. Mex., under contract of November 28, 1896, $96.88.

The amendment was agreed to.

The reading of the bill was continued to the end of line 8, page 47.

Mr. HALE. After line 8 on page 47 I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

To pay the necessary expenses of printing the transcript in the case of J. F. Manning & Co. against the Chesapeake and Ohio Telephone Company, No. 19558, in equity, on appeal from the supreme court of the District of Columbia to the court of appeals of said District and to the Supreme Court of the United States, $2,000, or so much thereof as may be necessary, said sum to be paid by the Treasurer of the United States upon the certificate of the clerk of the court of appeals and of the Supreme Court of the United States, respectively, certifying that the amount or amounts so to be paid is the actual amount due for such printing.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 47, after the amendment just adopted, to insert:

GOVERNMENT HOSPITAL FOR THE INSANE.

Government Hospital for the Insane: For current expenses of the Government Hospital for the Insane: For support, clothing, and treatment in the Government Hospital for the Insane of the insane from the Army and Navy, Marine Corps, Revenue-Cutter Service, and inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States, who are insane, all persons who have become insane since their entry into the military or naval service of the United States, who have been admitted to the hospital and who are indigent, $2,276.53.

Mr. HALE. After the word "indigent," in line 20, I move to insert "for the fiscal year 1899."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 48, after line 2, to insert:

To pay to Albert F. Easley, deputy surveyor, for surveying and establishing the exterior and connecting lines of the "Galisteo grant allotments" in Santa Fe County, N. Mex., under contract of November 28, 1896, $96.88.

The amendment was agreed to.

The next amendment was, on page 48, after line 25, to insert:

To pay to George E. Boos, manager of the Missoula Publishing Company, Missoula, Mont., for publishing advertisements of three mineral-land lists in 30 issues of said journal from June 7 to July 12, 1898, this amount having been heretofore suspended, but now allowed, $450.20.

The amendment was agreed to.

The next amendment was, on page 49, after line 6, to insert:

For payment to John McMurray, manager of the Recorder, a newspaper published at Anaconda, Mont., as additional allowance for publishing lists of classified mineral lands, such additional allowance being based upon the rates provided for by Department circular of April 13, 1895, $126.34.

The amendment was agreed to.

The next amendment was, on page 49, after line 13, to insert:

To pay the 12 members of the boards of mineral-land commissioners for the States of Montana and Idaho the balance due them for services during the month of October, 1899, $216.67 each; in all, $2,600.04.

The amendment was agreed to.

The next amendment was, on page 49, after line 19, to insert:

For payments and reimbursements to the parties named, and in the amounts specified, respectively, on pages 6 and 7 of House Document No. 361 of the present session, under the title, "General Land Office," $327.07.

The amendment was agreed to.

The next amendment was, at the top of page 50, to insert:

To reimburse William A. Richards, late United States surveyor-general for Wyoming, for losses incurred by him through a cloud-burst upon July 6, 1891, near Fort Washakie, upon the Shoshone Indian Reservation, in the State of Wyoming, while in the discharge of his duties as surveyor-general examining a public survey, under section 2223 of the Revised Statutes of the United States and the special instructions of the Commissioner of the General Land Office, $318.

The amendment was agreed to.

Mr. HALE. On page 50, after line 10, I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Appraisal and sale of abandoned military reservations" for the fiscal year 1898, $25.09.

Mr. HALE. After the amendment just adopted I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

For the fiscal year 1900, $1.66.

The reading of the bill was continued to the end of line 9 on page 52.

Mr. HALE. At the bottom of page 51, line 23, the sum should be struck out and the words "two thousand one hundred and twenty-nine dollars and nine cents" inserted.

The SECRETARY. It is proposed to strike out $185.98 in line 23, page 51, and insert $2,129.09, so as to read:

For the fiscal year 1900, $2,129.09.

The amendment was agreed to.

Mr. HALE. At the top of the next page the amount in line 1 should be struck out and the words "three thousand two hundred and twelve dollars and seventy-three cents" inserted.

The SECREEARY. It is proposed to strike out, on page 52, line 1, the words "two thousand nine hundred and eighty-three dollars and eighteen cents," and insert "three thousand two hundred and twelve dollars and seventy-three cents," so as to read:

For the fiscal year 1899, $3,212.73.

The amendment was agreed to.

Mr. HALE. In line 4, page 52, I move to strike out the amount and insert "$1,025.86."

The SECRETARY. It is proposed, in line 4, page 52, to strike out "$913.67" and insert "$1,025.86;" so as to read.

For the fiscal year 1898, $1,025.86."

The amendment was agreed to.

Mr. HALE. After line 9 on page 52 I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "vaccination of Indians," $58.

Mr. HALE. After the amendment just adopted I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "support of Quapaws, education," $12.

The reading of the bill was resumed. The next amendment of

the Committee on Appropriations was, on page 54, after line 2, to insert:

To pay to the estate of Hopiahtubby, deceased, the amount of claim allowed as indemnity under treaty with the Choctaws and Chickasaws of 1855 on account of horses stolen by Comanche Indians in 1866, as per award of the Secretary of the Interior and Commissioner of Indian Affairs, and decision of the Comptroller of the Treasury, dated November 2, 1899, $2,081.25.

The amendment was agreed to.

The next amendment was, on page 55, after line 2, to insert:

For the following, as fully set forth in House Document No. 677 of the present session, namely:

To pay for water rent at the Indian school, Flandreau, S. Dak., $250.

The proper accounting officers of the Treasury are hereby authorized to readjust the accounts of the special disbursing agent of the Commission to the Five Civilized Tribes for the first fractional third quarter, 1899, and allow so much of voucher No. 31 in said quarter as may have been paid for advertising, not to exceed $53.17.

For support and civilization of the Makah Indians, Washington, including pay of employees, $600.

For support, civilization, and instruction of the Klamaths, Modocs, and other Indians of the Klamath Agency, Oreg., including pay of employees, $1,000.

For support and civilization of the confederated tribes and bands in middle Oregon, and for pay of employees, $500.

For support and civilization of the Walla Walla, Cayuse, and Umatilla tribes, Oregon, including pay of employees, $200.

For support and civilization of the Yakimas and other Indians at said agency, including pay of employees, $350.

For general incidental expenses of the Indian service in Utah, including traveling expenses of agents, support and civilization of Indians at the Uintah Valley and Ouray agencies, $800.

To pay for lands purchased for Seminoles in Florida, $265.75, to be paid from a balance on the books of the Treasury, under the title of "Homesteads for Seminoles in Florida."

To pay those Indians who served the United States under Gen. O. O. Howard in the late war with Joseph's band of the Nez Perces tribe of Indians as scouts, couriers, and messengers, referred to in article 10 of the agreement of May 10, 1893, with the Nez Perces Indians, ratified by the act of Congress approved August 15, 1894, which claims are fully enumerated in House Document No. 552, Fifty-sixth Congress, first session, $4,752.

The amendment was agreed to.

The next amendment was, under the head of "Twelfth Census," on page 57, after line 7, to insert:

To pay Mrs. Ella M. Shell, widow of G. W. Shell, deceased, for services rendered by her husband as census supervisor for the fourth census district of South Carolina, $500.

The amendment was agreed to.

The reading of the bill was continued to the end of line 10, page 60.

Mr. HALE. On page 60, line 8, I move to strike out "five" and insert "eight."

The SECRETARY. On page 60, line 8, it is proposed to strike out "five" and insert "eight;" so as to read:

For the fiscal year 1899, $849.06.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 60, after line 10, to insert:

Compromise of suit: To enable the Attorney-General to make settlement of a suit of T. F. Townsley against the United States pending in the circuit court for the district of Washington for damages claimed for alleged breach of contract for carrying reindeer between certain Siberian and Alaskan ports, $1,718.88, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 61, after line 14, to strike out:

To pay Frank D. Allen, late United States district attorney for the district of Massachusetts, for services rendered the United States in the United States circuit court of appeals, $1,900.

Mr. LODGE. I hope the Senator from Maine will allow the amendment to be disagreed to. It has been twice put on in the Senate and lost in conference with the House. Now the House has put it in. It is an entirely just claim, and I hope the Senator will agree that we may disagree to it.

Mr. HALE. We struck it out because the report of the Comptroller—the last report we had—reported against it on the ground that it was above the maximum compensation. I think the Senator's colleague—I have not had an opportunity—has looked the matter up and has the subsequent action.

Mr. HOAR. I have here a letter from the Comptroller of the Treasury, stating that it was a mistake. This is a claim on the part of the district attorney of Massachusetts for service in the court of appeals, rendered before 1896, by direction of the Attorney-General. In 1896 a law was passed providing that these services should be rendered as a part of the district-attorney's ordinary duties.

But the committee, as I understand, recommended striking out this clause under the impression that these services had been rendered since that time. The Comptroller, however, writes that they were rendered before. Then the question came up whether they were to be included in the district attorney's maximum, but the Attorney-General and the Supreme Court of the United States have both held that they are not included in this maximum. The Comptroller, who had disallowed the claim, now writes a letter to the Secretary saying that his decision was erroneous and it ought to have been allowed. I will read one sentence from his letter.

This construction, so far as it relates to services of district attorneys in the circuit courts of appeal, was erroneous (decisions above cited)—

That is the decision of the Attorney-General—

and a large number of claims not finally settled at the time of the rendition of the decisions cited, although presented and approved by the Attorney-General exactly as worthy accounts of Mr. Allen, have since been recast and paid, without reference to the fact as to whether the claimant had or had not received his maximum compensation.

So the Comptroller says it ought to be paid.

In addition to the decision of the Attorney-General, the matter has gone to the Supreme Court of the United States, and I will read one sentence from Mr. Justice Brewer's opinion, and it is the opinion of the court:

Whenever the Attorney-General calls upon a district attorney to appear for the Government in a case pending in the court of appeals, he is not directing him in the discharge of his official duties as district attorney, but is employing him as special counsel. The duties so performed are not performed by him as district attorney, but by virtue of the special designation and employment by the Attorney-General, and the compensation which he may receive is not a part of his compensation as district attorney or limited by the maximum prescribed therefor. It seems to us that this is the clear import of the statutes, and we have no difficulty in agreeing with the court of appeals in its opinion upon this question.

Now, all the other district attorneys have been paid in accordance with that provision, and Mr. Allen has not been paid. The Senate has twice passed a special bill for paying him. The House put it into the deficiency appropriation bill, and I hope the committee will allow the provision to stand.

Mr. HALE. I ask that the committee amendment be disagreed to, which will leave the clause in the bill.

The amendment was rejected.

The next amendment of the Committee on Appropriations was, on page 61, after line 18, to insert:

Court of appeals, District of Columbia: For additional amount as salary of the reporter of said court, $500, one-half of which shall be paid from the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 62, line 3, after the word "for," to insert "all compensation of counsel and;" in line 4, before the word "prosecution," to strike out "further," and in the same line, after the word "prosecution," to insert "to final conclusion;" so as to make the clause read:

Weil and La Abra cases: To enable the Attorney-General to give any additional compensation he may deem proper to counsel for services in the cause of the United States against La Abra Silver Mining Company, finally determined by the Supreme Court of the United States at the present term of said court, and for all compensation of counsel and fees and expenses in the prosecution to final conclusion of the suit of the United States against Alice Weil and others, in which an appeal has been allowed by the Court of Claims to the Supreme Court of the United States from the judgment of that court in favor of the United States, $10,000, etc.

The amendment was agreed to.

The reading was continued to line 23 on page 65.

Mr. HALE. On page 65, after line 23, I move to insert:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Fees of district attorney for southern district of New York, United States courts," $2,441.24.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the head of "United States courts," on page 66, line 12, after the word "bailiffs," to insert "and criers;" and in line 13, before the word "in," to insert "bailiffs and one crier;" so as to make the clause read:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *And provided further*, etc.

The amendment was agreed to.

The next amendment was, on page 67, after line 14, to insert:

For the support of the United States Penitentiary at Fort Leavenworth, Kans.: For subsistence, including supplies for prisoners, warden, deputy warden, and superintendent of industries, tobacco for prisoners, kitchen and dining-room furniture and utensils; and for farm and garden seeds and implements, and for purchase of ice, if necessary, $1,000.

The amendment was agreed to.

The reading was continued to line 14 on page 69.

Mr. HALE. On page 69, lines 13 and 14, I move to strike out "$9,222.41" and insert "$10,574.01."

The amendment was agreed to.

The reading was continued to line 13 on page 70.

Mr. HALE. On page 70, in line 12, after the words "six hundred and forty-two," I move to insert "and Senate Document numbered 413."

The amendment was agreed to.

Mr. HALE. I move to strike out "$159,038.13" and insert "$159,061.03," on page 70, line 15.

The amendment was agreed to.

The reading was continued to page 71, line 7.

Mr. HALE. In line 7, after the words "six hundred and forty-two," I move to insert "and Senate Document numbered 413."

The amendment was agreed to.

Mr. HALE. I move to change the amount in line 9 by striking out "$47,767.49" and inserting "$47,833.41."

The amendment was agreed to.

Mr. HALE. In line 12 I move to insert, after the words "six hundred and forty-two," the words "and Senate Document numbered 413." These are subsequent estimates.

The amendment was agreed to.

Mr. HALE. I move to change the total by striking out "$6,085.39" and inserting "$6,102.43," in line 16, on page 71.

The amendment was agreed to.

The reading was continued to line 25.

Mr. HALE. In line 22, after the words "six hundred and forty-two," I move to insert "and Senate Document No. 413."

The amendment was agreed to.

Mr. HALE. In lines 24 and 25 I move to strike out "$1,478,328.12" and insert "$1,478,532.77."

The amendment was agreed to.

Mr. HALE. On page 72, line 2, I move to strike out "$1,062.83" and insert "$1,072.85."

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 72, after line 2, to insert:

DEPARTMENT OF AGRICULTURE.

For additional amount for rent of building occupied by the Bureau of Animal Industry, $600.

The amendment was agreed to.

The next amendment was, on page 72, after line 5, to insert:

For additional amount for rent of building occupied by the Division of Chemistry, $1,300.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 72, after line 9, to insert:

SENATE.

To reimburse NATHAN B. SCOTT, a Senator from the State of West Virginia, as full and final compensation for all expenses necessarily incurred by him in defense of his title to his seat in the Senate, $2,850.

The amendment was agreed to.

The next amendment was, on page 72, after line 15, to insert:

To reimburse John T. McGraw and other remonstrants contesting the seat of NATHAN B. SCOTT, as a Senator from the State of West Virginia, for all expenses in full and final payment thereof incurred by them in such contest, $2,850.

The amendment was agreed to.

The next amendment was, on page 72, after line 20, to insert:

To pay Mrs. Jennie Pelton Hayward, widow of the late Hon. Monroe L. Hayward, Senator-elect from the State of Nebraska, $5,000.

The amendment was agreed to.

The next amendment was, on page 72, after line 23, to insert:

To pay Horace C. Reed, clerk to the Committee on Rules of the Senate, for preparing, under the resolution of the Senate of March 2, 1899, an edition of the Senate Manual, $1,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 2, to insert:

To enable the Secretary of the Senate to pay the persons who performed the work of preparing and arranging the indexes to all the reports of the Secretaries of the Senate, under resolution of March 3, 1899, $2,000, which sum may be expended as additional pay or compensation to any officer or employee of the United States, and to be paid only upon vouchers to be approved by the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate.

The amendment was agreed to.

The next amendment was, on page 73, after line 11, to insert:

To pay for services rendered to the Committee on Pacific Islands and Porto Rico in preparing the document entitled "Organic Acts for the Territories of the United States, with notes thereon: also appendixes comprising other matters relating to the government of the Territories," compiled by direction of said committee and authorized by Senate resolution of February 2, 1900, $300, to be paid to the persons designated by the chairman of said committee to do said work.

The amendment was agreed to.

The next amendment was, on page 73, after line 20, to insert:

To pay Hawkins Taylor, assistant clerk to the Committee on Foreign Relations, for extra services, including compilation of the reports of said committee, $500.

The amendment was agreed to.

The next amendment was, on page 73, after line 23, to insert:

The Secretary of the Senate is hereby authorized to pay to William Hayward, as clerk to Hon. M. L. Hayward, deceased, late a Senator from the State of Nebraska, from March 9 to December 5, 1899, from the appropriations for salaries of officers, clerks, and employees of the Senate for the fiscal years 1899 and 1900.

The amendment was agreed to.

The next amendment was, on page 74, after line 6, to insert:

The Secretary of the Senate is hereby authorized to pay to William T. Bauskett, as clerk to Hon. JAMES P. TALIAFERRO, a Senator from the State of Florida, from April 25, to December 3, 1899, from the appropriations for salaries of officers, clerks, and employees of the Senate for the fiscal years 1899 and 1900.

The amendment was agreed to.

The next amendment was, on page 74, after line 13, to insert:

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4, 1899, to March 4, 1900, for clerk hire and other extra clerical services, $3,990.

The amendment was agreed to.

The next amendment was, on page 74, after line 18, to insert:

To pay to the persons who performed the work of arranging and preparing the Index of Private Claims introduced during the Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, under Senate resolution of June 10, 1898, $3,660, being the balance due under said resolution, to be paid only upon vouchers signed by the chairman of the Committee on Claims of the Senate of the Fifty-fifth Congress.

The amendment was agreed to.

The next amendment was, on page 75, after line 2, to insert:

To enable the Secretary of the Senate to pay to the officers and employees of the Senate who were borne on the rolls of the Senate, including the police rolls, December 31, 1899, and who were not borne on said rolls at the close of the first session of the Fifty-sixth Congress, a sum equal to one month's pay at the rate of compensation paid to them at the time of their resignation or discharge, and a sufficient sum for this purpose is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated: *Provided*, That no payment shall be made hereunder to any officer or employee who was reemployed in the service of the Senate within the period named.

Mr. MORGAN. I desire to call the attention of the chairman of the committee and of the Senate to an amendment that ought to be put into that clause of the bill for the purpose of rendering equal justice to the gentlemen who were discharged from the service of the Senate. The gentlemen came here, of course, under the appointment they had, and they expected naturally that they would be retained until the end of the session; but at all events they were finally discharged, some of them from the service of the Senate and others who were discharged in like manner have been reappointed not to the same places but to places of an inferior salary and inferior grade, and some of them to places of a very low grade. I suppose these gentlemen do not want to have their poverty advertised, but I know the names of a number of them who are very necessitous.

I propose, in line 8, to insert the words "at the same or a larger rate of pay or salary;" so that the paragraph will read:

To enable the Secretary of the Senate to pay——

Mr. HALE. I see no objection to that; at any rate, it will carry it into conference. I will accept that amendment.

Mr. MORGAN. The same amendment would have to come in on line 13, after the word "reemployed."

Mr. HALE. Let the Senator state the words to the clerks.

The PRESIDENT pro tempore. Will the Senator from Alabama state his first amendment?

Mr. MORGAN. In line 8, after the word "Congress," I move to insert:

At the same or a larger rate of pay or salary.

The amendment to the amendment was agreed to.

Mr. MORGAN. In line 13, after the word "reemployed," I move to insert the same words:

At the same or a larger rate of pay or salary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 75, after line 14, to insert:

For miscellaneous items, exclusive of labor, for the fiscal year ending June 30, 1898, $34.95.

The amendment was agreed to.

The next amendment was, on page 75, after line 17, to insert:

For miscellaneous items, exclusive of labor, for the fiscal year ending June 30, 1899, $2,000.

The amendment was agreed to.

Mr. HALE. On page 75, after line 20, I move to insert:

For miscellaneous items, exclusive of labor, $10,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 75, after line 20, to insert:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $1,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 22, to insert:

For repairing and furnishing Senate committee rooms, $4,709.

Mr. HALE. In line 23 I move to strike out "For" and to insert the words:

To pay A. H. Davenport for.

So as to read:

To pay A. H. Davenport for repairing and furnishing Senate committee rooms, $4,709.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 75, after line 24, to insert:

To reimburse L. P. Seibold, custom-house broker, for money expended by him in withdrawing from the custom-house at Washington, D. C., the picture of Pocahontas, which was subsequently presented to and accepted by the Senate of the United States, $11.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 77, after line 21, to insert:

To pay the legal representatives of James Gill amount due him for services as clerk to the late Representative Evan E. Settle from November 1 to November 16, 1899, $52.17.

The amendment was agreed to.

The next amendment was, on page 79, after line 14, to insert:

To A. C. Latimer, $2,000.

The amendment was agreed to.

The next amendment was, on page 79, after line 15, to insert:

To R. R. Tolbert, jr., $2,000.

The amendment was agreed to.

The next amendment was, on page 79, line 18, to increase the total appropriation for allowances of contestants and contestees for expenses incurred by them in contested-election cases, as audited and recommended by the Committees on Elections, from $37,355.76 to $41,355.76.

The amendment was agreed to.

The next amendment was, on page 87, after line 9, to insert:

PUBLIC PRINTING AND BINDING.

For printing and binding for the Supreme Court of the United States, $2,500.

The amendment was agreed to.

Mr. HALE. On page 87, line 16, after the word "in," I move to insert the word "House;" so as to read: "House Document."

The amendment was agreed to.

Mr. HALE. In line 17, after the words "six hundred and seventy-six," I move to insert the words "and Senate Document No. 416."

The amendment was agreed to.

Mr. HALE. I move to change the amount to "$466,379," striking out "$276,655," in line 17, page 87.

The amendment was agreed to.

The reading was continued to page 88, line 20.

Mr. HALE. On page 88, line 20, after the words "six hundred and sixty-seven," I move to insert "and Senate Document No. 417."

The amendment was agreed to.

Mr. HALE. On page 88, line 21, after the word "appealed," I move to strike out "twenty-five thousand three hundred and fifty-one dollars and seventy cents," and insert "twenty-seven thousand two dollars and eighty-nine cents."

The amendment was agreed to.

Mr. HALE. In the next item, on page 89, line 6, after the words "six hundred and thirty-eight," I move to insert the words "and Senate Document No. 414."

The amendment was agreed to.

Mr. HALE. On page 89, line 6, after the amendment just inserted, I move to strike out "$94,658.59" and insert "$181,734.92."

The amendment was agreed to.

The Secretary resumed the reading of the bill at section 2, on page 89, line 11, and continued the reading to the end of the following provision, on page 94, from line 9 to line 17:

For provisions, Navy, Bureau of Supplies and Accounts, $2,017.38:
Provided, That no part or any one of the claims to which this appropriation is applicable shall be paid therefrom which accrued more than six years prior to the filing of the petition in the Court of Claims upon which the judgment was rendered, which, being affirmed by the Supreme Court, has been adopted by the accounting officers as the basis for the allowance of said claim.

Mr. CHANDLER. I should like to ask the Senator from Maine to what appropriation this proviso applies—whether to the whole four, or only to this appropriation for the Bureau of Supplies and Accounts?

Mr. HALE. It applies to provisions.

Mr. CHANDLER. It is a statute of limitations. Was it not intended to apply to more than provisions?

Mr. HALE. The Senator can change it.

Mr. CHANDLER. I do not know how to change it, because I do not know whether it is intended to apply to all the claims in this bill or not. I know it is a useful provision, and that the Senator has drafted it on several occasions, but it is very difficult to determine to what appropriations the proviso applies.

Mr. HALE. I will move to amend, in line 11, on page 94, by inserting, after the word "claims," the words "allowed by the Auditor for the Navy Department in this bill." That will cover it.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 94, line 11, after the word "claims," it is proposed to insert "allowed by the Auditor for the Navy Department in this bill," so as to make the clause read:

Provided, That no part or any one of the claims allowed by the Auditor for the Navy Department in this bill to which this appropriation is applicable shall be paid therefrom which accrued more than six years prior to the filing of the petition in the Court of Claims upon which the judgment was rendered, which, being affirmed by the Supreme Court, has been adopted by the accounting officers as the basis for the allowance of said claim.

The amendment was agreed to.

The reading of the bill was resumed and concluded.

Mr. HALE. I offer the amendment which I send to the desk, which covers certain audited claims sent in by the Departments since the bill was reported to the Senate.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 99, after line 4, it is proposed to insert:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund, under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1897 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 415, Fifty-sixth Congress, first session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For contingent expenses, Treasury Department: Freight, telegrams, etc., $34.11.
For contingent expenses, Treasury Department: Stationery, fiscal year 1898, $1,117.41.
For detection and prevention of frauds upon the customs revenue, 52 cents.
For repayment to importers, excess of deposits, $4.20.
For expenses of Revenue-Cutter Service, 28 cents.
For Life-Saving Service, 6 cents.
For repairs and incidental expenses of light-houses, $390.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, $1,048.69.
For pay of two and three year volunteers, $381.51.
For bounties to volunteers, their widows, and legal heirs, $421.67.
For bounty under act of July 28, 1866, $200.
For bounty under act of July 11, 1862, $100.
For pay of volunteers, $85.86.
For contingencies of the Army, $68.18.
For incidental expenses, Quartermaster's Department, $1,132.80.
For headstones for graves of soldiers, $28.33.
For construction of military posts on the Yellowstone and Muscleshell rivers, $25.23.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay of the Navy, $547.18.
For pay of the Marine Corps, $1.92.
For contingent, Marine Corps, $15.65.
For contingent, Bureau of Ordnance, $5.
For provisions, Navy, Bureau of Supplies and Accounts, $9.90.
For bounty for destruction of enemies' vessels, $1.63.
For indemnity for lost clothing, $2,965.56.
For destruction of clothing and bedding for sanitary reasons, $132.42.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For contingent expenses of land offices, $12.65.
For surveying the public lands, $13,007.83.
Indians: For surveying and allotting Indian reservations, $29.73.
For surveying a portion of Blackfeet Reservation in Montana, $10.
Pensions: For Army pensions, $30.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

DEPARTMENT OF STATE.

For salaries, consular service, $32.50.
For relief and protection of American seamen, $16.30.

DEPARTMENT OF AGRICULTURE.

For salaries and expenses, Bureau of Animal Industry, $1.09.

DEPARTMENT OF JUSTICE.

For pay of bailiffs, etc., United States courts, $18.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.

For clerk hire, $37.50.

The amendment was agreed to.

Mr. HALE. Under the arrangement which was made the committee amendments are completed. Before moving to adjourn, I give notice that I shall call the bill up at the end of the routine morning business to-morrow, and hope that it can be completed in a very short time.

I now move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 2, 1900, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 1, 1900.*

The House met at 11 o'clock a. m., and was called to order by the Speaker.

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

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

SECOND-CLASS MAIL MATTER.

The SPEAKER laid before the House the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mail with Senate amendments.

The Senate amendments were read.

Mr. LOUD. Mr. Speaker, I will ask the House to disagree to the amendments of the Senate and ask for a conference.

The SPEAKER. The gentleman from California moves that the House disagree to the amendments of the Senate and ask for a conference. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER appointed as conferees on the part of the House Mr. LOUD, Mr. GARDNER of New Jersey, and Mr. GRIGGS.

TRUSTS.

Mr. RAY of New York. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. BOREING].

Mr. BOREING. Mr. Speaker, it seems to me that the opposition of our Democratic friends to the proposed amendment is more a matter of habit or custom than a difference of opinion as to trusts. For forty years the Republican party has done the thinking and legislating for the people. The growth and development of the country and the advancement of our civilization are complete vindications of the wisdom of the legislation and the integrity of the purposes of the Republican party. Their first act was the destruction of the most wicked and degrading trust that was ever authorized or provided for by the Constitution and laws of the United States. In this destruction the Republican party not only emancipated labor, but the human mind and conscience as well. This was the first and, in fact, the one great advancement our country has made since the adoption of the Constitution in 1789. The Democratic party for these forty years have been the wilderness. Their chief occupation has been that of complaining. They have made issue with the Republicans in every Presidential campaign since 1860 and opposed every progressive step that a Republican Congress or Republican Administration has taken, but to-day they are unwilling to go before the country and ask for restoration to power on any issue they have heretofore made, but now seek to make an issue upon trusts, a subject upon which they have never gone on record in a legislative enactment, notwithstanding their party was in full control of all branches of the Government from 1892 to 1896.

But, since they are not able to make an issue on trusts, they undertake to raise the issue of sincerity upon the part of the Republican party in its opposition to trusts, and claim that the pending measure is a trick and a fraud to deceive the people and a scheme to put the Democratic party in a hole. But why should the Democratic party allow us to put them in a hole? If this side of the House is insincere, why does not the other side take advantage of their opportunity to test our sincerity by voting unanimously for the pending bill, giving it the required two-thirds majority, then have the legislature of every Democratic State in the Union ratify this amendment; and if the Republican States fail to do the same, then the Republicans and not the Democrats will be in the hole. Mr. Speaker, I take a more charitable view of the Democratic party than they do of us. I believe they are sincere in their opposition to trusts. But their distrust of the Republican party and their habits of opposition to Republican legislation are so thoroughly developed that they would rather have trusts than to help the Republican party destroy them. They have now wandered in the wilderness as long as Moses lead the children of Israel, forty years. They have many times been bitten by the fiery serpent. But still, with their eyes turned toward the past, they long for the fleshpots of Egypt rather than go into the land of Canaan along with the Republicans.

In Kentucky we have had the whisky and the tobacco trusts. Both are controlled by Democrats and but little is said in politics about either. But we have one new trust down there that I am glad to say has aroused both Republicans and Democrats, and that is known as the Goebel trust. This trust involves the civil liberty of the people. It has been so skillfully gotten up that it is above the law and out of the reach of the courts, but the people of Kentucky have made up their minds to put it down. So far as Kentucky is concerned, it matters very little what is written in the platforms in Philadelphia and Kansas City, the one issue will be the destruction of the Goebel trust. Upon this issue the Republicans are united and the Democrats are divided. Some of my Democratic colleagues on the floor say that this monster will stand. Senator Blackburn, in a recent deliverance, says it must go; but while these machine Democrats are discussing the subject as a matter of expediency and policy, there are thousands of Free-Silver Democrats and Confederate soldiers in Kentucky who stand pledged to vote with the Republican party or any other party which opposes Goebelism until this office-stealing trust is destroyed. [Loud applause on the Republican side.]

MUSCLE SHOALS POWER COMPANY.

The SPEAKER. The Chair lays before the House Senate bill 3598, which the Clerk will report. A House bill similar in purport has been favorably reported from the appropriate House committee and is now on the Calendar.

The Clerk read as follows:

A bill (S. 3598) to amend an act granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama.

Be it enacted, etc., That section 2 of an act entitled "An act granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama," approved March 3, 1889, be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That unless the work herein authorized be commenced within two years, and completed within four years from the date hereof, the privileges hereby granted shall cease and be determined."

Mr. TAYLOR of Alabama. Mr. Speaker, I ask that this bill be put on its passage. It calls for no appropriation, and, as has been stated by the Chair, a similar bill has been reported by the House committee and is now on the Calendar.

There being no objection, the bill was taken up, read three times, and passed.

House bill 9542, of similar purport, was, by unanimous consent, laid on the table.

EXTENSION OF RAILROAD LINES IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 2826) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company of the District of Columbia was laid before the House with amendments of the Senate; which were read.

Mr. JENKINS. I move that the House concur in the Senate amendments.

The motion was agreed to.

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

TRUSTS.

Mr. TERRY. I yield to my colleague on the committee, the gentleman from Georgia [Mr. FLEMING], for ten minutes.

Mr. FLEMING. Mr. Speaker, I have no prepared speech; and in the short time allowed me it will be my purpose to state some of the conclusions at which I have arrived rather than to elaborate an argument in support of them.

If an impartial observer were to examine into the present situation in the House to-day, no matter how averse he might be to attributing insincere motives to either party to this controversy, he could not avoid the conclusion that the pending joint resolution to amend the Constitution on the subject of trusts and the bill carrying into operation powers that Congress now has on that subject are not intended to become laws at this session of Congress.

I do not undertake to read the mind of any gentleman on the other side who has charge of this measure; but I do say there are certain facts to which we can not shut our eyes which force us to that conclusion. In the first place, I call attention to the delay in bringing both of these measures before the House for its consideration. This Congress met last December; and now, here in the latter part of May, we have the committee bringing in a resolution which, in its substantive part at least, does not comprise more than four or five lines. Can gentlemen tell us that it required the action and study of the Judiciary Committee for six months to evolve a resolution of four lines?

If that resolution could by any possibility pass the House to-day, the Republican members and managers know that it can not pass the Senate at this session. So I say, in the first place, the delay in introducing this measure shows that the Republican authorities who have it in charge never intended it to become operative until after the ensuing national campaign.

In the next place, it has been the deliberate purpose of the Judiciary Committee, supported by the majority vote on that side of the House, to prevent any amendment whatever being attached to the resolution to amend the Constitution. That fact of itself shows conclusively that the gentlemen in charge of this measure did not expect it to pass and, I may say further, did not want it to pass.

It is idle to claim, as the gentleman from Ohio [Mr. GROSVENOR] did yesterday, that this is a measure of the majority, that they are responsible for it, and if the minority do not choose to accept it we can simply refuse, and the majority takes the responsibility before the country. The gentleman from Ohio knows, as every member in this House knows, that it requires a two-thirds vote to pass this resolution through the House, and that a mere majority vote can not have any effect whatever in reaching the object which he professes to desire.

The gentleman from Ohio [Mr. GROSVENOR] and the chairman of the Judiciary Committee [Mr. RAY of New York] and the chairman of the Committee on Rules [Mr. DALZELL], who have put the whole subject in this attitude, knew all along that it required a two-thirds vote, and that this two-thirds vote could not be furnished by the Republican party alone, but that they must rely upon the Democratic side of the Chamber to give sufficient votes to make the two-thirds. If you had desired to pass this bill, you would have shown some consideration for the wishes and views of the minority in the House, from whom you are obliged to draw your strength in order to be successful.

But instead of offering any compromise measure—instead of allowing us the usual parliamentary courtesies—the Judiciary Committee and the Committee on Rules, backed by the majority on that side of the Chamber, have absolutely denied us an opportunity of altering one word—of crossing a "t" or dotting an "i"—in this amendment which you try to force us to accept. That fact in the hands of such successful politicians as are managing this

bill is evidence—overwhelming and irresistible—that gentlemen on that side of the House do not want enough votes from this side of the House to enable them to pass this resolution.

But in the third place, Mr. Speaker, if anything else were lacking to prove to an impartial observer that this resolution is not intended to pass the House and Senate, we find that evidence in the fact that there are no lobbyists around Congress to-day and have been none since this resolution was taken up seeking to prevent its passage. Can anyone for an instant believe that if the trusts of this country had not some sort of underground understanding that this resolution is not to be passed through both Houses of Congress, they would be here in force working and lobbying against its passage?

But if there has been one lobbyist opposing its passage, I have yet to hear it. I did not expect, of course, to see him; for no lobbyist has ever paid me the compliment to try to get my vote in one way or another—either because he knew he could not get it, or because he did not consider it worth having. But I have made inquiries, and these inquiries have been extended to my Republican friends, and they, who ought to know and who would know, tell me that no lobbyist representing the trust interests has been here seeking to oppose the passage of this resolution. What greater proof, what more overwhelming testimony does the country want that the Republican managers do not intend it to pass? If they did intend it to pass, the trusts' lobbyists would be here to prevent its passage.

Now, Mr. Speaker, on the wild assumption that this resolution could pass this House, what would be the effect of it? Suppose, on a further wild assumption, it could pass the Senate at this session of Congress. What would be the effect of it before the country? The Republican party in the House and in the Senate would be besought by these agents and lobbyists of the trusts not to go to work to break down their interests until after the people had spoken on the question, and every bill exercising the power which Congress now has to throttle these trusts would be held in abeyance at their request or at their behest until the people had the opportunity at least to say whether they wished this constitutional amendment adopted. That would be the argument. Everybody knows it. And that would be the excuse of this House or the excuse of the Senate, where it could be worked perhaps to better advantage than it could here, to pass no trust legislation at all.

You have a bill, introduced concurrently, I might say, with this resolution, which will, in my judgment, if honestly enforced, throttle every trust in the United States, especially if the States themselves will come forward and do their own duty. And yet you do not expect to pass that bill. You have already fixed the time of adjournment for the 6th day of June. You are not going to vote upon that bill until the 2d day of June—to-morrow. It will reach the Senate on Monday. What man in this House believes that the Senate of the United States is going to act upon such a question as that in so short a time, and take it up and rush it through? No, Mr. Speaker, the immediate, the necessary effect of passing the resolution which is now before the House will be the postponement of all legislation against the trusts that can be of any avail until after the Presidential campaign.

Why is it that these trusts are so silent? Why is it they are making no protest? I have not even seen protesting editorials in the newspapers that certainly can be controlled by these instrumentalities—have been in the past and will be in the future. I have heard no fears expressed by them. I have heard of no threats of commercial disaster scattered through the country by them. What does it all mean? It means that they know that for the time being the trusts are perfectly safe.

Indeed, Mr. Speaker, it seems to me that they have some cause to rest in security upon this question.

For would it not be the basest ingratitude for the Republican party after receiving the immense contributions which the trusts made to their campaign fund of 1896 to now turn upon and destroy their benefactors? Such ingratitude is not to be expected, and evidently is not anticipated by the magnates of the trusts.

Again, Mr. Speaker, I would call attention to this significant fact, that while fifteen amendments have been adopted to our Constitution, not one of the fifteen confers any additional power whatever upon Congress. If this amendment should be adopted, it will be the first time since the foundation of the Constitution was laid and the balance of power between the Federal Government and the State governments adjusted that the States have ever been willing to part with any more of their reserve power in order to bestow it upon the Federal Congress.

The first section of the resolution now before the House is entirely unnecessary and irrelevant to the subject-matter of this legislation. It is a covert attempt to inject into the Constitution the recognition of an imperialistic doctrine that the Constitution does not extend to all the territory under the sovereignty of the United States.

The second section, which embodies the substance of the resolution, reads as follows:

> Congress shall have power to define, regulate, control, prohibit, or dissolve trusts, monopolies, or combinations, whether existing in the form of a corporation or otherwise.

Under other terms of that section, also, any State law will be void which may come in conflict with any act of Congress passed under cover of the broad provisions of this resolution. I do not like the language in which this power is granted to Congress. That language involves some very suspicious omissions. We all know that the basis of anti-trust legislation in this country was laid in what is genererally known as the Sherman anti-trust law of 1890. In that act the word "combination" is qualified and restricted by the following words: "In restraint of trade or commerce."

Why should the Republican majority of the Judiciary Committee see fit to blot out those restricting words in this constitutional amendment? It was not an unintentional omission. It has some purpose. The country is crying out against the oppression of combinations in restraint of trade or commerce, but this proposed amendment is not aimed at such combinations alone, but is open to the construction of being aimed at all combinations, whether of labor, of capital, or otherwise. Who doubts that under this broad language Congress will be clothed with the power to declare illegal every labor organization in the United States, and to inflict a penalty on those who join such organizations?

Who doubts that Congress would have power to declare every strike illegal and place a penalty on every laborer who engaged in a strike?

This construction is not far fetched, because the Sherman Act, which the country supposed at first was aimed against combinations of capital, was in the celebrated Debs case made to apply directly and immediately to combinations of workingmen seeking to redress their wrongs as they understood them. The United States circuit court judge who tried that case expressly based his decision upon the language of the Sherman Act: "Combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce;" and the Supreme Court of the United States, in reviewing that decision, while they placed their opinion upon broader grounds, stated expressly that it was not to be understood that they disapproved the position taken by the court below.

Are the people of the States ready to pass over to Congress such unlimited power and in doing so tie their own hands in the matter of future legislation?

I have another objection to the language of this resolution. By bringing together the word "regulate" and the word "monopolies" you will perceive that Congress will be clothed with the power to regulate a monopoly. Now, under the common law all monopolies are absolutely illegal and our courts have held that such monopolies could be restrained and prohibited whenever they were brought into court with sufficient evidence to make legal proof. Yet under this new amendment Congress would absolutely have the power to permit the existence of a monopoly and choose their own method to regulate it. What necessity is there for the States to surrender such authority to Congress?

Furthermore, under the broad language of this amendment, why would Congress not have power to make it unlawful for the producers of any agricultural commodity to get together and endeavor to protect themselves by combined action looking toward a restriction in the quantity of their output? The cotton producers of the South, impoverished for years by the low price of their cotton, caused in part by excessive production, met a year or more ago and sought to combine their influence so as to restrict the acreage to be planted in the future.

Do the people intend that Congress shall have the power to declare that these men who work the soil and produce their crops by the sweat of their faces shall not make a combination for the purpose of restricting their own output? Shall any power be given to Congress to compel them directly or indirectly to continue to produce an overplus of cotton in order that other people may profit by the low prices?

It is no answer to these objections for a member to say that Congress would not exercise its power in an oppressive way. No man can tell what Congress will do when lashed into fury by party spirit and hate.

The gentleman from Pennsylvania [Mr. DALZELL], in his remarks to the House on yesterday, sought to make it appear that the position of the Democrats in opposition to this amendment was a repudiation of the declaration of Mr. Bryan on this subject. The gentleman used these words: "But when we come here to-day and offer you the remedy suggested by your own leader," etc., we refused to accept it. They have never offered us Mr. Bryan's remedy. There is no antagonism whatever between the position announced by Mr. Bryan and that taken by the Democratic members on this resolution.

Mr. Bryan, before the Chicago trust conference, suggested a line of Congressional action for the control of trusts. He expressly

stated that in the event such a law as proposed by him should be declared unconstitutional, then he was "in favor of so amending the Federal Constitution as to give Congress the power to destroy every trust in the country." Or, in other words, his position was that we should exhaust the powers which Congress now possesses to remedy the evil; and if we fail in our purpose after such exhaustive legislation, then we should seek by constitutional amendment to give power to Congress to destroy every trust.

The Republicans have not exhausted that constitutional power. The proof of that fact is that they have a bill now pending and to be voted on to-morrow which contains an enlarged exercise of Congressional power and which, in my judgment, ought to, if honestly enforced, meet in large measure the difficulties of the situation. The gentleman from Pennsylvania is not fair in saying that he offers us the remedy proposed by Mr. Bryan. He has not accepted Mr. Bryan's Congressional legislative remedy, nor can anyone believe that Mr. Bryan would indorse the resolution now before the House seeking to amend the Constitution.

Mr. Speaker, a great deal has been said and written on this trust question. Much wisdom and much nonsense have been uttered. I do not take the position that under no circumstances would I vote for a proper constitutional amendment to control trusts if it were necessary; but I do take the position that Congress has power yet unexercised to meet the emergencies. If, when that power has been honestly used and enforced, we still fail to protect the rights of the people, then, sir, I would hold myself in readiness to vote for a properly drawn amendment to the Constitution. Under the interstate-commerce act we can control the transportation of trust articles from one State to another in such manner and to such extent as to prevent the financial success of any trust depending upon interstate commerce.

It is true Congress has no power to interfere with the manufacture and production of trust articles within a State, but I venture the assertion that there is not a trust in the entire country to-day that could live for twelve months if its interstate commerce were shut off. Furthermore, if a trust operates solely within any State, then it is within the power of that State to control or crush it. Theoretically speaking, there ought to be no real difficulty in destroying every trust in the United States if this power of Congress over interstate commerce is fully exerted against them in cooperation with the power of the State within its own territory.

The difficulty seems to lie in the practical details of operation. What the country needs now more than anything else is an Executive in the White House who is sincerely and honestly opposed to trusts and who will put the machinery of the Government to work against them.

I believe such power as we now have is sufficient; but whenever in the future, after honest effort, we find that power insufficient, we can still amend the Constitution, and I trust that when that time comes we will have a membership on this floor and in the Judiciary Committee which will exercise more wisdom and discretion in formulating the amendment which they propose to add to the Constitution. [Applause on the Democratic side.]

[Here the hammer fell.]

DISPOSITION OF WASTE PAPER.

The SPEAKER announced as members on the part of the House on the Joint Committee on Disposition of Useless Paper in the Post-Office Department, Mr. BOUTELL of Illinois and Mr. FITZGERALD of Massachusetts.

TRUSTS.

Mr. RAY of New York. I yield thirty minutes to the gentleman from Michigan [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, human nature is selfish, and it is never less selfish when organized into corporations, and corporations are never less selfish when organized into trusts and trust combines.

The Bible enjoins diligence in business. Be "not slothful in business—fervent in spirit serving the Lord." The man in the parable of the talents who "went and traded" with his talent and returned 100 per cent on the amount left with him, was made "ruler over many things;" while the man who pinched nobody, took no bonuses, conducted no foreclosures, never cornered the market nor wrecked a railroad, but digged in the earth and hid his talent away against his master's return, lost even that which he had.

Afterwards, no doubt, he sat at the gates of the city and railed against capital, while the "rulers over many things" rode by in their chariots on state occasions.

There are many asses in gold harness. There is much "vacuity trimmed with lace," and every once in a while it marries some degenerate descendant of so-called foreign nobility and advertises its wardrobe.

And many people, by reason of their gilded and ruffled asininity and vacuity, provoke indiscriminate revilings.

There are some wealthy people who breed discontent by the inconsiderate way in which they flaunt their well-fed and well-dressed prosperity in the faces of the less fortunate.

There is no doubt but the dust from the wheels of some people's carriages is more annoying than that of others.

But there are always men greater than wealth and greater than poverty, and it takes about as much greatness to be great under one condition as it does under the other. [Applause.]

Human nature is about the same in its fundamental outlines from a dollar a day to too much.

Let us not be self-righteous because we are hard up. There is really no piety in being poor.

Let us not be seduced by demagogues into class prejudice. To pull down and destroy business enterprise gives no man a day's work except the agitator and the demagogue.

Many people mistake envy for political economy. It is very easy for the man of moderate income to see that a millionaire ought to be disciplined. [Applause.]

But if by a sudden turn of fortune's wheel the strong and the rich should be cast down and the poor and the lowly should be lifted up, does anyone suppose that the insolence of the suddenly enriched would be less irritating than the arrogance of established position?

LEGISLATION AND REGENERATION.

As Mr. Lecky has remarked, "There is a constant tendency in the human mind to expect too much of government."

There will probably never come a time when the moral regeneration of mankind can be accomplished by legislation.

Nothing short of a moral regeneration as great as that with which Nehemiah electrified the Jews at the rebuilding of Jerusalem can even approximately even things up.

A Bible class and a Committee of Ways and Means have few points of resemblance.

A Government like ours is run by citizens with temporarily delegated powers.

A legislator is not transformed by change of residence from the office or farm to the State or National Capital.

The legislative oath of office actually performs no supernatural function, confers no mantle of wisdom or prophecy, although some gentlemen seem to suspect this of themselves.

Congress theoretically is composed of gentlemen fairly representative of the average intelligence of the communities which they purport to represent.

Therefore no Congress is wise enough to go ahead and macadamize a highway over which the rest of humanity shall travel to the millennium.

Congress does well if it is fairly responsive to the best public opinion.

INDUSTRIAL TRANSITION.

In the language of Edmund Burke, "It is one of the finest problems of legislation what the state ought to take upon itself to direct by the public wisdom and what it ought to leave with as little interference as possible to individual discretion."

The trust problem is a part of our commercial life—part of our national life.

It is important beyond the present and is intimately associated with the future organization of economic life.

We are in the midst of another transition period in human history.

We are passing from individual to corporate enterprise necessarily. We are passing from individualism to centralization.

The huge business machine, with all its machine ramifications, is driving out the small workshop.

You can not shoe a horse by machinery, so the blacksmith shop remains; but a horseshoe trust sells the horseshoes cheap, and a horse nail trust sells the horse nails cheap, and a hammer trust sells the hammers cheap that drive the horse nails home.

The village cobbler lingers, but his business is confined to nailing half soles, sold cheap by a trust, onto trust-made shoes, sold cheap.

The rest of the iron and leather workers have themselves become parts of a huge machine, and stand all day long superintending another machine for making wheels or heels.

This is not new. England passed through an analogous phase near the close of the last century when Watt discovered steam, and the discoveries of Whitney, Arkwright, Cartwright, and Hargreaves revolutionized the cotton industry.

But let us be fair. The laborer never received higher wages for shorter days than now; never went home to a better home than the American home, and never was better fed and better clothed than now, and never had more time and opportunity for reading and mental development than now. [Applause.]

Neither can it be denied that everything in our markets, from a pin to a locomotive, from a pair of shoes to a suit of clothes, has more of grace and is more scientifically fitted to human needs than ever before.

By combination business in most industries is being reduced to a few large units, run by a few large units.

This is an age of commercial giants, working with perfect accuracy with machines perfectly designed to do their work without deviation.

If flesh and blood are caught in the cogs, the machine grinds on. However, let us be fair again. There never was a time when greater scientific consideration was given to the amelioration of the condition of all classes than now; but charity even has its machine attributes and there has developed such a thing as charitable brokerage.

The machine and the management thereof have become identified, and the management has become in a measure subordinate to the machine.

It is conceivable that God himself—I say it reverently—found less trouble in managing a Bible universe, with Abraham and Sarah as central figures, than a Roman Empire or a French Revolution.

SELLERS AND BUYERS.

Neither indiscriminate malediction nor spasms of political oratory will contribute to better understanding of these colossal results of modern industrial evolution.

Conditions can only be understood and abuses can only be remedied after careful, unbiased, scientific investigation.

This Government does not belong to a few of us. It belongs to all of us, and we are many.

Every citizen is a seller as well as a buyer.

He is a seller of his own labor or its product, and he is a buyer of the labor of others and its products.

As a seller, he wants to sell high; as a buyer, he wants to buy low; and he is no more entitled to arbitrary artificial aid from the law in one capacity than in the other.

If the law should undertake to keep prices down for the benefit of buyers, it ought to keep them up for the benefit of sellers: and inasmuch as every citizen is a seller as well as a buyer, he illustrates in his own proper person the impossibility of such law.

The ownership of property implies the right of free use and free sale, whether the property be labor or merchandise and whether the owner's will be exercised separately or in combination with others.

THE RIGHT TO ACQUIRE PROPERTY.

Any scheme of correction which overlooks the right of every citizen, morally and legally, through diligence in business, to better his condition in material things subverts the natural law of our being and must fail.

No matter how much some people may think Dives ought to be punished for setting a good table, Dives and Lazarus are equally entitled to protection under the law.

The law can not obliterate the natural differences in men.

God made man different here, and hereafter we are told the difference will be still more marked.

Dives and Lazarus left many descendants, and in the whirling years the rich have begged and beggars have become rich, and care can never be legislated out of the world nor happiness be legislated into the world.

The man with 40 acres wants 160; and when he gets 160, he wants more.

It is more than a hundred miles between the fashionable and the unfashionable sides of a brick wall.

There is also the engineer at the throttle, the capitalist in the coach, and the tramp on the track seeking a dry culvert to sleep in.

There is blazing wealth and abject poverty side by side.

There are churches and jails; homes of wealth and homes of the friendless. There is too much to eat and too much hunger; too much clothing and too many people in rags; too much coal and too many shivering firesides; and it has been so ever since pasturage grew scarce for the joint flocks of Abraham and Lot. [Applause.]

MODERN INDUSTRIAL METHODS.

The thousands of steamboats and steam engines, fleets, factories, and railroads that lay dormant in the discovery of Watt under the lid of the teakettle, the electric possibilities that flashed from the clouds down Franklin's kite string, have brought evil as well as good and pushed humanity into more complex conditions.

The tremendous and tireless physical and mental energy of mankind is constantly tending toward results.

The human brain must think; we can not stand still.

Labor and capital, working together in inexhaustible material, have so perfected methods and machinery that means of production have been increased beyond computation.

A modern blast furnace running full blast yields 700 tons of pig iron a day I am told.

A modern cotton factory runs 2,000 spindles at the rate of 10,000 revolutions a minute under the supervision of two operatives I am told.

Typesetting and presswork were formerly done by hand. Now typesetting machines do five times the work of a single compositor, and presses are perfected to the capacity of from fifty to one hundred thousand copies per hour.

The 26 letters and 10 figures with which the story of the world's events is daily told have become the nucleus of incorporated publishing companies, with appurtenances of electricity flashing along wires that girdle the globe like nerves, and receiving a shock at one point vibrate in every part, so that the electric flash of an event last night, somewhere along the lonely song of a telegraph wire far out upon a Western plain or in the heart of Asia, is translated into type and becomes news by sunrise—appurtenances of night editors and day editors and all kinds of editors, night reporters and day reporters and all kinds of reporters, who chronicle the social round of clothes and conversation; the birth and the obituary, the pulpit and the prize fight; who sit above the Speaker of the House of Representatives and the President of the Senate and number the hairs of their heads; who are deep in Government secrets; who make and unmake political careers and reputations.

So that there are graveyards of press-murdered ambitions and there are passing shows of press-made statesmen who, editorially and reportorially swelled, strut briefly in the public glare.

Modern industrial operations are conducted upon the theory of production upon the largest scale—of many sales with small profits, large in the aggregate.

So close is a large business frequently run that the difference between profit and loss lies within the scope of the decimal part of a cent.

And it has come to pass that practically unlimited means of production is confronted by limited consumption.

COMPETITION.

Obviously, when supply is steadily in excess of demand, prices must tend downward to the point where only the strongest can survive and the weak must go to the wall.

The struggle to live and to sell is competition.

When the boom is on, the mill runs full time. When reaction comes, the mill slacks down to half time or no time, and men are thrown out of employment, while interest and rust eat on.

Competition means liberty, it is said, and it is true; but it means also liberty to the sweater and the bloodsucker to compete with the employer who wants to pay fair wages.

It means also liberty to the tricky merchant who fails often and grows rich to compete with the merchant who pays his debts.

There is no doubt that one of the causes impelling business into combinations is disgust and revulsion against certain phases of competition.

COMMERCIAL EVOLUTION AND DEMAGOGISM.

Producers have sought in vain to bring about steady prices by adjusting output to demand.

First there was the so-called "agreement among gentlemen."

Next there was the trust combine, which took alarm at court decisions and accepted the statutory invitations of New Jersey and West Virginia to incorporate under their laws.

The modern incorporated trust is a development of commercial evolution.

To say that trusts are due to party is cheapest demagogism.

However, there is seldom an important phase of national existence that is not taken advantage of by demagogues as a means of getting themselves elected to office.

Generation after generation has set its stakes on the road to progress and the world has moved up, moved by, and moved on and set other stakes, but crime and disease and the demagogue are still in the procession.

Short crops, destructive storms, a dry time in summer, a flood in harvest, or an unseasonable frost are the demagogue's opportunities.

He appeals to class cupidity and jealousy. He magnifies and inflames all class differences and urges that the State shall "constitute itself a kind of providence to break contracts and regulate anew the conditions of industry."

When bankruptcy sits on the ledger of business failure and the receiver is busier than the promoter, money is hidden away in fear, builds up no enterprise, and employs no labor.

When business booms, banks are burdened with deposits and money is seeking investment; times are good for everybody.

If good for individuals, they are good for combinations of individuals.

It would be a singular sort of political economy that would prevent everybody from making a living in order to prevent a few from getting rich.

The trust belongs to a group of modern phenomena. It is one of the most conspicuous results of a strong modern tendency to centralization.

Trusts have been forming so rapidly within the last few years as to rouse the serious concern of students and statesmen.

The newspapers assert that more than ten hundred million dollars went into trusts in 1898 and that in the first three months of 1899 more than twice that sum was incorporated.

The formation of a million-dollar corporation has been for some time a matter of frequent chronicle.

LAWS SEEKING TO REGULATE LABOR, TRADE, AND COMMERCE.

Monopoly is not a new thing under the sun, and laws attempting to regulate mankind in labor, trade, and commerce are not new.

In the reign of Edward III (1349) was passed "the statute of laborers," which provided that whereas in the recent pestilence

many workmen and servants had died, and whereas many, seeing the necessities of masters, would not serve except for excessive wages, therefore every able-bodied person under the age of 60, not having wherewith to live, on being required, should serve him that did require him at the wages that had prevailed in the twentieth year of that reign.

It provided, too, that victuals should be sold at reasonable prices.

By subsequent laws in the same reign it was sought to define and declare what men should eat and what they should wear.

In the reign of Elizabeth (1562) a law was made whereby it was intended to rate the wages of artificers, laborers, and other persons "according to the plenty, scarcity, necessity, and respect of the time."

In the reign of Edward IV statutes were also passed defining "the length and breadth of cloth to be sold."

Later, when divers persons did begin to make "untrue wares" not of "good stuff and right making," wardens were created, whose duty it was to "survey the workmanship of artificers."

Laws were also passed in the reign of Edward III creating and punishing offenses known as engrossing, forestalling, regrating, and badgering.

By these laws buying and selling at wholesale and holding for a subsequent rise was made a crime.

In the reign of George III (1772) they were repealed because it was said such laws had a tendency to discourage growth and to enhance the price of commodities. (Stickney, 38-39.)

In the reign of Edward VI, because it was said victualers had conspired to sell their victuals at unreasonable prices and artificers, handicraftsmen, and laborers had confederated in respect to their work, it was provided that all such persons should be punished and all such brotherhoods should be dissolved.

All these laws had become an obsolete antiquity by Blackstone's time and were never observed to any extent.

The weight of authority is that these ancient English statutes did not come to us as part of the English common law. (Commonwealth *vs.* Hunt, 4 Metcalf, 121; 2 Bishop Crim. Law, section 233.)

Attempts were made during the period of our Revolutionary war to control prices by statute.

The Continental Congress, under date November 22, 1777, among other things, recommended that commissioners be appointed by the different States to convene—

> In order to regulate and ascertain the price of labor, manufactures, internal produce, and commodities imported from foreign parts; * * * also to regulate the charges of innholders.

Thereupon many of the States passed laws "to regulate the wages of mechanics and laborers, the prices of goods and commodities, and the charges of innholders," and then promptly repealed them.

The attempt by the State to fix arbitrary prices had, as stated by the governor of Rhode Island, resulted in "an almost entire stop of vending the necessary articles of life."

These attempts to regulate prices by law were colonial war measures, and failed even as war measures.

PROGRESS AND COMBINATION.

On the night of October 23, 1781, the watchmen of Philadelphia, going their nightly rounds, uttered the welcome cry, "10 o'clock; starlight night; Cornwallis is taken."

Independence had passed from a declaration to a fact.

From thirteen colonies we have grown to forty-five States, gridironed with railroads, lighted by electricity, and occupied by the most progressive people on earth, and we have been recently adding to our possessions.

We have passed rapidly out of the period of a few moderate but conspicuous fortunes into a time of complex business activity where millionaires are common and Crœsus would be only well to do.

Invention and capital have harnessed steam, electricity, and gravitation.

Human labor has been replaced by machinery, the ultimate effect of which has been to greatly increase human employment.

It is said that "in England, before the invention of the spinning jenny, there were 5,200 spinners and 2,700 weavers. Ten years later there were 105,000 spinners and 247,000 weavers. In 1833 there were 487,000 spinners and weavers. To-day, taking the collateral industries dependent upon the cotton, woolen, and flax industries, not less than 2,000,000 persons are employed instead of the 8,000 employed at the time the spinners and weavers broke the machines because they destroyed labor."

In 1800 the weaver could buy 10 yards of cloth with a week's wages. In 1890 he could buy 150 yards and work thirty hours less per week.

The railroads displaced stagecoaches and freight wagons, and men complained because they were thrown out of employment. Now, the railroads of the United States alone give employment to 750,000 men, not including the army engaged in collateral industries.

The mighty enterprises which have exalted and embellished human existence would not have been possible without combinations of capital.

But there is such a thing as too much combination. Formerly competition meant competition. Lately, however, it has come to mean a job for some expert in combination.

The purpose of combination is to suspend competition in favor of a few.

In the natural evolution, out of the fierce contest for commercial supremacy, a condition has been brought about whereby aggregations operating against the law of supply and demand are destroying competition, by combination and unfair methods, in order to secure control of both product and market, and the public is being brought under the thrall of an industrial oligarchy.

DISTINCTION BETWEEN PUBLIC AND PRIVATE EMPLOYMENTS.

In any discussion of governmental control of industry a fundamental distinction between public and private employments must be remembered.

From a very early period the state has exercised control over common carriers and innkeepers because of their quasi-public employment and because state control was deemed necessary for public protection.

Resort having been had more frequently since the discovery of steam to the law of eminent domain, additional reasons for state control of common carriers have appeared.

Theoretically they are public servants, occupying the public highways, subject to public control.

The case of telegraph, telephone, gas, and electric companies is analogous in that they use the streets and perform quasi-public functions.

Then, too, public employment, being local in its service, comes easily within municipal and state control.

MONOPOLY.

Emerson has said:

> If a man can write a better book, preach a better sermon, or make a mouse trap better than his neighbor, the whole world will make a path to his door

It is the natural ambition of every industry to control the largest possible scope of trade. The more successful the business the more trade it monopolizes.

Such control, when obtained either by arbitrary capitalistic might, by merit of the thing sold, or by both, is a monopoly.

Monopolies are:

1. Natural—that is, dependent upon ownership of some source of supply, like coal or iron.
2. Quasi natural—that is, dependent upon public franchise, like railroads and kindred employments performing quasi-public functions.
3. Legal—that is, patent and copyright, designed to "stimulate genius and give due reward to the promoters of human progress."
4. Capitalistic, which depend wholly upon the use of capital.
5. A monopoly may be based upon any or all of these conditions.

The trust is organized for the purpose of extending and monopolizing trade.

Objection to trusts can not extend to all forms of commercial combination. If that were so, partnerships and corporations would come within the scope of trust denunciation.

Combinations can not justly be condemned simply because they are combinations.

When A goes into the business of refining sugar, he is a legitimate dealer.

When A and B combine as partners in the sugar refining business, they are a legitimate partnership engaged in a legitimate business.

When A and B and others organize themselves into a corporation engaged in the business of refining sugar, such corporation is legal and legitimate.

But when the corporation so organized, which up to that time has been moving with the natural law of supply and demand, because not strong enough of itself to control the law of supply and demand, enters into combination with other corporations engaged in the same business, the object of which combination is to eliminate the natural law of supply and demand in its relation to prices;

When the combination so organized is able to destroy competition, to control the price to the producer of the raw material as it goes into the hopper, and to control the price of the finished product as it comes out of the hopper;

When the combination so organized is able to set up its trust mill at the crossroads of human necessity in the great thoroughfares of trade and levy tribute on all who pass, coming and going;

When the combination so organized, having seduced or destroyed all competition, is able to fix prices for all sellers of raw material, from which there can be no appeal, because there is no one else left to sell to; and to fix prices to all consumers of the finished product,

from which there can be no appeal because there is no one else left to buy from; then the public which gives the franchise which enables the mill to exist, suffers at both ends of the hopper, both as producer and consumer, and is at the mercy of its own creation. [Applause.]

Then, inasmuch as a corporation is an artificial person, owing its existence and the manner of its existence to the law, the duty devolves upon the law to modify and regulate its own creation in the interest of the people who make the law and for whom all law is made.

SOME INCIDENTS OF TRANSITION FROM COMPETITION TO COMBINATION.

It is said that, as a rule, the power to control prices has been discreetly used by combinations. But the American citizen does not want to be controlled without his consent.

Left to his own devices, a man might never think of traveling outside his own country, but if some arbitrary power compelled him to stay here, he would chafe under the restraint.

Most people would rather trust to open competition than to trust to the conscience of any trust.

Under the old condition of competition, factories multiplied. The factory made all the difference between the village and the city.

The more labor employed the bigger the town, the bigger the town the more consumers, the more consumers the better the market for the farmer, the better the market for the farmer the more valuable the farm. [Applause.]

By combination factories are reduced in number and business is centralized in a few large towns.

The transition from competition to combination profoundly affects the social life of our people and has distinct relation to our form of government.

When the factory is shut down, the means of home support is gone and change of residence in search of employment becomes necessary.

Small homes are sold cheap at forced sales. Children are shifted from school to school or no school. Their education is interrupted or permanently suspended.

The massing of congested population in large cities is to the detriment of humanity. The number of unemployed becomes a menace to order.

Individuality is dwarfed. The horizon of aspiration is narrowed to a struggle for mere maintenance.

The lines of cast become stratified.

The young man must stand longer and longer, hat in hand, at the outer door of corporate opportunity, waiting to be invited in and given a job, and former "captains of industry" in middle and old age, when incapable of proficiency in new employment, are passed by.

But while it is true that many situations are closed, it is also true that proficiency was never better rewarded than now.

In commenting upon conditions at the close of the eighteenth century incident to England's transition from hand loom to factory, Mr. Lecky says:

> The system which is rapidly spreading through all industry of vast undertakings, supplied by small profits on an immense sale, inevitably tends to widen divisions of classes and greater contrasts of wealth and poverty.

Trusts are not the cause of combinations; they are simply the result of combination.

Combination frequently assumes compulsory form.

Industries doing a healthy business, entirely satisfactory to themselves, are compelled to join a consolidation.

The penalty of refusal is made plain to them.

They are made to realize that they can not separately resist the colossus of which they are invited to become a part.

They must consent to benevolent assimilation or be ground to death in unequal competition.

EVOLUTION OF THE TRUST CORPORATION.

The beginning of the trust was—

1. The so-called "agreement among gentlemen," by which producers came to an agreement among themselves as to how much they should produce and at what prices they should sell, each producer, however, running his own business.

But gentlemen failed to keep their agreement, and prices had their way with some exceptions.

It is said that the cattle and meat market of the United States is ruled by a few Chicago, Kansas City, and Omaha purchasing agents, representing well-known packers who, by agreement, never overbid each other.

It is said that if the seller refuses to take the first bid he takes less if he sells.

Independent butchers no longer exist, and the influence of this hog and cattle oligarchy extends to the remotest hogpen.

2. The next step was the formation of the so-called trust.

> The word "trust" was first used to mean an agreement between many stockholders in many corporations to place all their stock in the hands of trustees and to receive therefor trust certificates from the trustees.—*1 Cook on Stock and Stockholders*, section 503.

The trustee held the stock, voted it, managed the business, and apportioned dividends upon the trust certificates.

3. The interstate-commerce act became a law in 1887. This act was preceded by a Congressional investigation which led to a demand for governmental action.

Newspapers aroused public opinion. Bills were introduced in every State legislature aiming to forbid all manner of combination in restraint of competition.

By the end of 1894 the Federal Government, twenty-two States, and one Territory had enacted anti-trust laws, and "courts have held with great unanimity that combinations are illegal if their purpose is to restrict production, raise prices, or restrain trade," and that they are contrary to public policy and void. [Applause.]

In 1890 the New York court of appeals, in the case of The People *vs.* The North River Sugar Refining Company (121 N. Y., 582), held that at the instance of the attorney-general the State would forfeit the charter of a corporation whose stockholders had entered into a trust with the stockholders of competing corporations for the purpose of forming a monopoly.

The present corporate form of trust combines was compelled by statutes and court decisions.

> Most of the great trusts have been driven from their original mode of organization and have reorganized by conveying their property to a corporation organized for the purpose of taking over the property. * * * The result has been that trusts for the most part have reorganized and reappeared in the form of gigantic corporations.—*1 Cook on Stock and Stockholders*, section 503.

But while many States were formulating severe laws against trusts other States were facilitating their formation by laws especially framed for that purpose, intending thereby to increase their own revenues.

Citizens of one State may—

> incorporate a company in another State, even for the purpose of carrying on the entire corporate business in the State where they live.—*Cook on Stock and Stockholders*, sections 237, 934; Demarest *vs.* Flack, 128 N. Y., 205.

And a stock company, by reason of State comity, is free to transact business all over the country, with the exception of quasi public corporations.

New Jersey has drawn over the river nearly all the corporations doing business in New York, "and now runs the State government very largely on revenues derived from New York enterprises."

New Jersey makes incorporation easy, and West Virginia makes it easier. Between them they have practically monopolized the business of making monopolies. Lately, too, Delaware has published its bid for the business of making corporations, alleging specifically its claims of advantages over New Jersey.

METHOD OF TRANSITION FROM TRUST TO CORPORATION.

When a trust wants to legalize itself by becoming a corporation it—

1. Appoints a steering committee.

2. A charter is taken out under the laws of New Jersey, West Virginia, or Delaware.

3. The trustees under the trust become the directors of the corporation.

4. The officers of the trust become the officers of the corporation.

5. Trust certificates are exchanged for shares of stock.

6. An enormous capitalization is represented by paper shares, which are distributed to the public through stock speculation.

7. The board of directors is divided into two chief departments, one having charge of the financial side, the other of the technical side of the business.

8. The board is further divided into committees on sales, purchases, supervision of special branches, and such other committees as may be necessary.

9. A system of factors' agreements is established whereby consignees of the commodity agree not to sell for less than a prescribed price plus freight as fixed by a so-called equality rate book and not to change the schedule of prices except as directed by the corporation. If consignees keep their agreements for a prescribed time, say three months, they receive a rebate.

10. A corporation so organized has its own legal department, central counting department, with a comptroller, an auditor, and a statistician. It has a central laboratory if the business requires it. It has departments of sale, transportation, insurance, and advertising.

It controls many State companies operating mills for converting the raw product, with many other factories and branches for further utilization of its products and by-products. It owns ocean steamers and railroads and has foreign branches. It runs its mills in duplicate, so that in case of breakdown work will not be interrupted.

It buys its raw material by shiploads and trainloads and whole crops. Itself being the only market for such raw material, it fixes the price thereof, so as to obtain such material at the lowest price that will induce its production.

Itself being the only source of supply of the finished product, it fixes the price thereof, so as to obtain the highest price consistent with a steady demand and the prevention of competition.

Having the field, it keeps it. No smaller enterprise can live without its consent. Occasionally, for the sake of appearances, it allows some smaller parasitic enterprise to exist so as to deceive the public with the idea that there is competition.

ARGUMENTS FOR AND AGAINST TRUSTS.

Burke says:

The market settles and alone can settle the price. Market is the meeting and conference of the consumer and producer where they mutually discover each other's wants.

But the modern incorporated trust itself becomes the market, and dictates prices to buyers and sellers.

The aim of the trust is to produce the largest amount with a steadily decreasing amount of labor and the smallest amount of material.

It is said that large investments make large economies;

That the more there is produced the cheaper it can be produced;

That the cheaper it can be produced the cheaper it can be sold;

That the cheaper it can be sold the more can be sold; and

That cheap plenty makes large consumption.

The advantages urged in behalf of combination are:

1. Economy in production, therefore lower prices to consumers. But it is alleged that the consumer does not receive the benefit of trust economy in this respect to which he is equitably entitled.

If the incorporated milling company in your town buys your wheat at its own price and sells you flour at its own price, there being no other mill, it always buys your wheat as low as it can and sells you flour as high as it can. It pursues the plan of buying as cheap as it can and selling as high as it can, because it is good business, and applies its profits to improving its plant so as to pay large dividends.

It is easy to say that the consumer gets the benefit, but the producer and the consumer generally get more benefit when another miller comes to town and begins to do business in competition.

But when the new miller and the old milling company combine the last state of the producer and consumer is worse than the first, for the new miller and the old milling company must make up for the indiscretion of competition.

2. Another advantage is said to be that of a more perfect product.

This may be true theoretically, but in practice it is said that control of the market permits economy in quality, which is often taken advantage of so far as control of the market will permit.

3. Another advantage is alleged to be better wages and more constant employment.

This is denied. It is said that profits arising from admitted economies and resulting in large dividends on watered stock do not reach labor in the form of high wages as a rule.

It is true that wages are generally higher than ever before, but wages paid by trusts are not as a rule higher than "going wages," and it is said are not as high as trust profits might seem to warrant.

While labor has its unions, it can not control the law of supply and demand of labor as the trust controls the law of supply and demand of commodities.

As to constant employment, it can scarcely be said that a policy which closes and obliterates factories gives constant employment to labor.

It is probably true that it gives more steady employment to the persons employed, but one of the objects of combinations is economy of labor among other economies.

4. Stability of price to the consumer is urged as another advantage, but whether this is an advantage or not depends on the price.

A price gauged just low enough to prevent public discontent and just high enough to prevent competition does not appeal to the public as an indispensable advantage.

OVERCAPITALIZATION.

In urging advantages by reason of combination, nothing is said of the custom of overcapitalization.

A committee was appointed by the New York assembly in 1897 to investigate trusts, and in that part of their report bearing upon overcapitalization they say:

In one case corporate assets acquired by an officer of the combination for the sum of $350,000 were capitalized overnight in the new combination by the issue of certificates of a nominal value of twice that amount less 15 per cent.

Other corporations organized for the distinct purpose of absorption by the combination on the basis of a stock issue of a nominal value of $800,000 were simultaneously recapitalized in the combination by an issue of a nominal share value of about $14,000,000.

Corporations representing in the aggregate share issues of less than $7,000,000 were recapitalized in the combination by a nominal share issue of $50,000,000, less rebate of 15 per cent.

In another case live assets were valued at about $5,000,000 and made the basis of an issue of about $25,000,000 of stock, the difference being made up in the assumed value of "good will," "brands," and "trade-marks."

Such stock issues in many instances represent capitalized destruction and absorpion of competing industries.

Capitalized centralization.

Capitalized "prospective earning capacity."

Capitalized wind and capitalized water.

Capitalized live capital and capitalized dead capital.

The preferred stock pays dividends. The common stock in most cases seesaws up and down from day to day, subject to market caprice, till it drops below zero and is past resurrection.

It is perfectly apparent that if a man draws profit upon half of a pie he need not care into how many shares the pie is divided. If each slice or share is labeled with a value which it does not possess, but upon which he draws dividends, so much the better for him.

The stock-issuing business consists in labeling the pie as if it were stuffed with diamonds and dividing it into shares. There is only so much pie no matter how many shares you divide it into.

FEDERAL AND STATE AUTHORITY.

1. There are those who regard trusts as rapacious monsters.

2. Others who look upon them as unavoidable and as part of our national organic development, believing that they are the result of natural forces, and, unchecked, will regulate themselves.

3. Others approve of them as results of a general tendency toward centralization, but think they ought to be controlled by legislation.

4. The radical socialist favors trusts in so far as they tend toward the nationalization of private property.

5. And the anarchist is against all organization and all capital.

On the whole, regulation by legislation within reasonable bounds ought to be possible.

Corporations are creatures of law, and legislatures which make and courts which construe laws, it would seem, ought to be able to restrict, control, or annihilate creatures of law.

This sounds reasonable, but we are forty-five States, and at present where one State prohibits another invites, and so long as a single State exists from which, by virtue of interstate comity, trust combinations can trade over the rest of the Union the States can not control combination except by combination among themselves. The Supreme Court has quite clearly defined the scope of the Federal anti-trust law by deciding that—

The fact that an article is manufactured for export to another State does not of itself make it an article of interstate commerce, and the intent of the manufacturer does not determine the time when the article or product passes from the control of the State and belongs to commerce. (U. S. *vs.* Knight Co., 156 U. S.)

To the same effect is Hopkins *vs.* United States (71 U. S., 578).

The Federal Government therefore can not control under the present law.

Since the fourteenth amendment declares that—

No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction, the equal protection of the laws—

and since this provision has been repeatedly held to restrict the authority of the several States in dealing directly with trusts, we are confronted with this situation:

1. The States can not control except by unanimous agreement.

2. The Federal Government can not control under present law.

3. The Federal Constitution restricts States in dealing with this question, even if they should unanimously agree.

THE RIGHT OF MAN TO USE HIS FACULTIES IN LAWFUL WAYS.

In a decision of Judge Swayne, of the Federal court, in annulling the Texas anti-trust law in 1897, in discussing the relation of the fourteenth amendment to the question of State control of trusts, he says:

The right of liberty embraces the right of man to exercise his faculties and follow any lawful avocation for the support of life.

Liberty, in its broad sense, as understood in this country, means the right not only of freedom from servitude, imprisonment, or restraint, but the right of one to use his faculties in all lawful ways, to live and work where he will, to earn his livelihood in any lawful calling, and to pursue any lawful trade or avocation. * * * The right to combine to form partnerships and joint stock associations, the right to agree as to prices and production, the right to fix prices, to raise and lower them as business may require, is not oppressive to the public nor unjust to the individual nor contrary to public policy. It is an essential right as part of the liberty of the citizen of which no legislature can deprive him. (In re Grice, 79 Fed. Rep., 627.)

In considering this subject the question presents itself, Where shall the line be drawn, and by what authority shall a legislative body attempt to say to persons—artificial and natural—thus far shall you go in the acquisition of wealth and power and no farther?

Tiedman, in his work on Limitation of Police Power, says:

Combinations are beneficial as well as injurious according to the motives and aims with which they are formed. It is, therefore, impossible to prohibit all combinations. The prohibition must rest upon the objectionable character of the object of combination.

Objection must rest, then, not upon the fact of combination, but upon the object of combination.

The question, then, is whether acts done lawfully on a small scale may be objectionable and against public policy when done upon a large scale.

Whether what A and B may lawfully do in a small way may become illegal when done in a large way.

Whether a series of lawful acts tending to an object which, by the very magnitude of it, may be "prejudicial to public interests" may be declared unlawful.

And finally, whether a combination for the control of "a prime necessity" of life or a "staple commodity," thereby annihilating competition and limiting production, is an object "prejudicial to public interests" and therefore unlawful.

CONCLUSION.

This, then, appears to be the conclusion of the whole matter:

1. The States can not control because of lack of unanimity.

2. The Federal Government can not control by interference with matters which belong to State control under present law.

3. Therefore, inasmuch as trade constantly flows beyond State boundaries, there ought to be a Federal law for the control of industrial corporations, which can follow and regulate them always and everywhere.

To this end an amendment to the Federal Constitution is necessary.

RESTRAINT SHOULD BE FOR GROWTH, NOT REPRESSION.

This is not a subject to be discussed in blind hostility or partiality.

Regulation and control by Government must not be construed to mean restraint of progress.

In its preventive police it ought to be sparing of its efforts, and to employ means rather few, unfrequent, and strong than many and frequent.—*Burke*, volume II, 192.

There is such a thing as governing too much.

Progress is constant evolution, constant conflict, and "rarely means more than a surplus of advantages over evils."

American pride was never better founded than now.

The United States to-day is foremost among the living, advancing powers of the world, "the heir of all the ages in the foremost files of time."

It is the best national illustration of all time of what human liberty grouping itself under the heads of statesmanship, art, invention, capital, and labor can do.

Iron ore is worth in the ground perhaps 40 cents a ton.

The locomotive standing looking down the long track that finally spans a continent is worth in dollars twenty thousand, but its benefits to civilization are incalculable, and the difference between the slumbering ore and the marvelous mechanism on the track is invention, labor, and capital. Here invention, labor, and capital stand typified and illustrated, and when they pull together the freight of the world moves, and when they do not there is an explosion. [Applause.]

But the greatest gains of nations can not be presented in the form of a balance sheet.

Every man-made material thing must first take shape in the human brain.

The necessities of widening business inspire the dreams of inventors. One thing accomplished, suggests another thing to be done or overcome.

The quality of the human brain, then, which means the quality of the manhood and womanhood of a nation, determines the quality of the nation.

Keep the people brave, strong, manly, clean, and independent, and no human power can set limits to American achievement. [Applause.]

To this end, then, let every tendency that gives to a few repressive control over the many and restrains the upward bent of human endeavor be curbed with malice toward none and with charity to all.

Macaulay, in his essay on Mill, says:

The greater the inequality of conditions the stronger are the motives which impel the populace to spoliation. As for America, we appeal to the twentieth century.

We, too, appeal to the twentieth century, and may the Omnipotent Ruler of the destinies of men and nations so mix and fuse, guide and direct the elements which make America that the years of the twentieth century shall witness a continuance of the splendid evolution of the nineteenth century. [Loud and continued applause.]

Mr. TERRY. Mr. Speaker, I yield to the gentleman from Nevada [Mr. NEWLANDS] fifteen minutes.

[Mr. NEWLANDS addressed the House. See Appendix.]

The SPEAKER. The time of the gentleman has expired.

Mr. TERRY. Mr. Speaker, I now yield to the gentleman from Massachusetts [Mr. THAYER].

Mr. THAYER. Mr. Speaker, it may be well to consider for just a moment what the subject-matter is concerning which this resolve relates. What, then, is a trust?

A trust is a combination of several or many competing concerns under one general management, which controls the amount of production and generally increases the price for which the article dealt in is sold to the consumer. The trust is always a monopoly or seeks to be one. This it accomplishes by presenting to competitors the alternative of joining hands with it or being utterly destroyed—to sell out or to fail. The trust is a monument to business nerve and audacity, and the most perfect symbol of commercial greed, falsely characterized by the great director, dictator, and backbone of the present willing and supple Administration to be the embodiment and result of the "great business evolution" at the close of the nineteenth century.

Mr. HANNA may apologize, explain, excuse, or characterize, if he pleases, in behalf of the new lights in, and leaders of, the Republican party, but can not palm off this business bastard upon the intelligent people of the American Republic as the legitimate heir of the thrift, push, development, and fair dealing which has ever attended the commercial and business enterprise of the American people. It is under the present Administration, more than any other and all others combined, that the heartless and soulless trusts have sprung up, thrived, and prospered. This hydra-headed monster stalks the streets of our great commercial centers as independent as a lord and as fearless and arrogant as the arch fiend himself, and well it may, for it is conscious that under the present régime it is not only safe, but will be protected and cared for; jails and judgments are foreign to its thoughts; sheriffs and Administration prosecuting attorneys give way to the right and left and run to cover as the mighty giant, with an air of "What are you going to do about it?" unimpeded and unchallenged, swells down commercial Broadway.

During this present Administration six billions of property and "water" have been capitalized by different corporations, trusts, and combines. Why, Mr. Speaker, in the single State of New Jersey the fees and charges alone for recording and issuing certificates for the incorporation of these concerns have been sufficient to defray the entire expense of maintaining the public schools of the whole State of New Jersey.

Not only the luxuries but most of the necessaries of life in this country are to-day within the grasp of some multimillionaire trust or combine. From your infant's baby carriage to your father's coffin and shroud—all pay tribute to some mighty trust. [Applause.]

Mr. Speaker, the conflict is now on; it is before us and with us. On the one side are immense capital and corporate power in the hands of comparatively few; on the other hand public interest and the people's rights. Labor is most seriously affected by the general method of concentration. The avenues to diversified industries are closed, the opportunities for employment reduced and controlled, honest and active competition prevented and destroyed, and individual industrial enterprise seriously menaced and threatened with extermination.

The evil effects of the trust monopoly are most apparent in those localities and trade circles where the trust has made itself master of production, quality, and price.

If the corporations are to continue and to control, a popular government, supposed to grant a fair field and unrestrained competition to all its citizens, can not long continue, any more than liberty can exist under the rule of absolutism.

This resolve, Mr. Speaker, so far as it will furnish any relief to the people to extract and release them from their present grievous situation, is wholly inadequate and powerless. It was not intended to correct and assist, but to befog and allure, and is well adapted for the purposes intended. It was conceived and brought forth for altogether another purpose. The scheme was carefully considered and bears the earmarks of Mr. HANNA and lesser satellites who circulate around this great statesman—gentlemen who believe that destiny has decreed them to be the great conservators of the interests of the American people and incidentally protectors of the Republican Administration.

Mr. Speaker, I refer to that same destiny which has been made responsible by this Administration for the bloodshed and blunders of this un-American policy toward the Philippine Islands. The Committee on the Judiciary, and other statesmen and politicians in touch with it, are not unmindful of the fact that there is a feeling of dissatisfaction and unrest all over this broad land against corporate power and trust dominion. This feeling and sentiment give forth no uncertain sound. From the first day of the session of this Congress until this blessed hour it has been demanded that the majority party should make good its claim of willingness to enact into law some provisions which should control the power and remedy the evils of the great combines and give relief to the throttled industries of individual enterprise not yet extinct, but fearing extermination.

The people cry aloud for redress at our hands. We hear the prayer of despair coming up from the 60,000 middlemen, commercial salesmen, popularly known as "drummers," and that of their families dependent upon them for support. We have seen this army of the unemployed looking to Congress for relief, and have heard their plaintive story, how they have spent the best years

of their existence fitting themselves for their honorable calling in life with all the care, study, and fidelity that any gentleman of this House has fitted himself for his chosen profession. We are painfully aware that their employment is gone, and gone forever if the trusts survive; the opportunity for honest labor is denied them, and they are now too old to begin to fit themselves for a new calling in life.

This committee has seen and heard all this and has concluded to make a pretext of doing something to satisfy, if possible, the public and fool it into the belief that the present Administration is really serious, honest, and earnest in its opposition to trusts.

Sir, this committee may have thought that some forgiving but benighted soul might construe this resolve as a warning at least to the evil tendencies of corporate greed. The lamented Lincoln once said you could fool a part of the people some of the time, and it appears to me that this resolve is introduced to test the practical truth and application of the statement. It is a harmless little resolve, a tender plant, and one intended for present use and effect. It will be taken in out of the cold, cold world and housed as soon as the frosts appear early in November next, and even if it should become frost-bitten and not winter well, still it will have served its purpose. If, however, it withstands the cold blasts of the bleak winter and the heartless test of a national campaign, still it remains a plant of slow growth and development. It will not fructify until in the "sweet by and by," after the mischief shall have been consummated; not until long after individual industry, enterprise, and competition, now struggling in the iron grip of trust monopoly and dictatorship, shall have been vanquished and destroyed. [Applause.]

Again, Mr. Speaker, the majority of this House is about to give further evidence of its magnanimity and respect for the Constitution by generously permitting it to be in force where it was intended by its founders and where all the illustrious, unbroken line of its propounders and interpreters for the last hundred years down to this year of grace 1900 have declared with one accord it did extend, namely, over the United States and Territories. This generosity on the part of our Republican friends needs and should receive that recognition it deserves.

And, fellow-Democrats, it is not the first time this session that these profound constitutionalists across the aisle have permitted the Constitution to perform some of its accustomed and well-defined functions.

I think, Mr. Speaker, it would at least be unkind of us to attempt to thwart our Republican friends in their laudable purpose of not depriving the Constitution of its powers as applicable to this resolve or to detract one whit from the credit and magnanimity due our Republican friends for this heroic act of concession.

Mr. Speaker, in my opinion this is a very harmless and impotent measure; it can do no serious harm, and, unless I am much mistaken, no serious good. It is not introduced as a gastric measure of present vital force or effect. This resolve is of the homeopathic order—to be applied in mild cases, not in great emergencies. It is intended for weak and simple-minded persons afflicted with a mild form of business bilious colic, and might well be designated as a sort of "Marm Winslow's soothing sirup resolve"—a specific for gullible people and for those who want a little something, but are not particular what it is, so long as it is prescribed and labeled "perfectly safe." Yet, if in any event it will serve to repress and restrain a single trust or combine, and correspondingly encourage and give hope to a single individual enterprise, I shall be well paid for voting for it. [Applause.]

I am actuated to this end somewhat as General Butler was in his reply to Seward. As the story goes, he and Secretary Seward were walking down Pennsylvania avenue one day and a little colored boy came up behind them and began stepping on General Butler's heels. Mr. Seward, turning to the General, said: "Why don't you stop that boy treading on your heels?" "Why," responded the General, "it amuses the little fellow and does not injure me."

So with this resolve. It will serve to amuse our Republican friends on the other side and can do the people no harm, even if it confers no material benefit, and with this view I shall vote for it. [Loud applause on the Democratic side.]

Mr. RAY of New York. Mr. Speaker, I now yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR Mr. Speaker, I shall not indulge in any extended discussion of the question involved here, but I want to restate a fact or two. I know it will make no difference, I know at the earliest opportunity the gentleman from Tennessee, or somebody else on the side of our friends over there, will make the same statement exactly. It has already been repeatedly denied and explained in this House, but I think the time has come when I can wisely and properly put into the RECORD one more denial of the statement that somebody in Ohio has indicated that the Republican party is not sound on the trust question because they did not nominate somebody for some office out there.

I read from the RECORD:

Mr. GAINES. Tell me why you turned down Attorney-General Monnett in Ohio?

Mr. RAY of New York. I do not understand the gentleman's question.

Mr. GAINES. I ask why it was the Republican party in Ohio did not renominate General Monnett, and why they did not indorse his splendid and patriotic record against trusts, but left it to the Democrats to indorse it, which they did, and went down in defeat?

Mr. RAY of New York. Monett had had two terms.

Mr. GAINES. Even if that is true, why did they not indorse his antitrust record?

Mr. KITCHIN. No; he had not.

Mr. RAY of New York. Monnett had had two terms.

Mr. GAINES. He only had one, and you did not indorse his record.

Now, Mr. Speaker, this very thing came up here before, and the gentleman from Tennessee [Mr. GAINES] had the whole statement of the case made to him. I can not understand why a fair-minded man should again repeat that statement.

Mr. GAINES. What statement does the gentleman refer to?

Mr. GROSVENOR. I have only five minutes; you will find it all in the RECORD.

Mr. GAINES. I did not hear the gentleman.

Mr. GROSVENOR. The Republican party in Ohio was formeed in 1854. From that day to this, so far as I am able to recollect, and I have a pretty good memory of every one of the conventions, there never was an attorney-general nominated for but two terms in that State. It is as much the unwritten law in the State of Ohio that that office shall revolve out and in at every second term as it is the unwritten law of the people of the United States that no man shall be President three times in succession. Mr. Monnett was not in any sense of the term a candidate. He did not want to be nominated. He did discuss with his friends, and it was widely discussed in the papers, that he would be a candidate for governor, but he never announced himself, nor did anybody for him, that he would be a candidate for attorney-general.

There were some seven, or eight, or nine candidates for attorney-general, all in the field because of the well-known fact that Mr. Monnett would not be a candidate. In the convention Monnett's name, as I recollect it, was not announced. Others were, and there was one ballot, and then a second ballot, and a very able lawyer, a very able lawyer, with long experience and great success at the bar, with a character as high as any lawyer in Ohio for honesty, uprightness, and a man wholly disconnected with trusts or combinations, or anything of that character, was nominated and triumphantly elected. He had been elected in a judicial subdivision giving over 5,000 Democratic majority, and had served with great credit on the bench. And now Mr. Sheets, the attorney-general, has prosecuted not only every case that Monnett left him that had not been disposed of, but he is prosecuting new cases under the laws of Ohio. I say now, without disparaging Mr. Monnett, that the record of success and defeat will very favorably show in favor of the able attorney-general of Ohio.

Mr. RAY of New York. May I ask the gentleman from Ohio if I was or was not correct when I asserted that Mr. Monnett had two terms?

Mr. GROSVENOR. You were certainly right; I have twice voted for him myself and we have twice elected him. Another fact, there is no such thing in Ohio as the Standard Oil Trust. The organization was prosecuted in the supreme court of Ohio—the time I can not give, but something like three years ago. A judgment was rendered absolutely revoking all its authority, and the practical effect of it was to drive it out of the State of Ohio absolutely. The only thing that is being carried on in the State of Ohio are the operations of the Standard Oil Company, a corporation under the laws of another State, which is carrying on the gigantic work of developing the oil fields of Ohio; and while I am as bitterly opposed to unlawful and injurious combinations as any man, I am bound to say that there is no organization for business purposes that pays so much money for wages, and so high wages for like services in the State of Ohio, as this same Standard Oil Company, and it is developing our territory and bringing our State into first-class prominence as an oil-producing State.

The SPEAKER pro tempore (Mr. BOUTELL of Illinois). The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I will avail myself of the privilege of extending my remarks in the RECORD.

Mr. GAINES. It would appear from the remarks of the gentleman from Ohio that the Republican party has done its plain duty in one respect——

Mr. GROSVENOR. It always does.

Mr. GAINES. But it was mighty late in doing it.

Later on Mr. GROSVENOR spoke as follows:

Mr. GROSVENOR (speaking from the Democratic side of the House). Mr. Speaker, I have assurance that I shall be cordially received on this side of the Chamber. [Laughter and applause on the Democratic side.] Mr. Speaker, I am delighted to hear my colleague from Ohio give assurance to the country that immediately following the 4th day of next March a Democratic President—with just a single "if," if he is elected—will at once proceed

to destroy and smash the trusts; for it brings, and couples with the suggestion, the fact of just what I have been claiming all the time. First, that every law on the statute book of the United States that assails the trusts was put there by a Republican majority over a Democratic battle. [Applause on the Republican side.] That every act, every step that has been taken toward this consummation has come from Republican officeholders, attorneys-general, and all the rest.

The gentleman from Arkansas [Mr. TERRY] stated yesterday, and I was amazed at it, that the laws now on the statute book were worthless. And now comes my distinguished colleague from Ohio [Mr. LENTZ]—I do not know how good a lawyer the gentleman from Arkansas is, but I do know that my friend from Ohio is something of a lawyer, and I am going to take him for authority, and the gentleman from Arkansas is ruled off the track for misrepresenting the value of the Republican power on the statute book.

Now, a word or two about Ohio. My friend is ingenious, but not ingenuous. He knows that from the adoption of the present constitution of Ohio no governor was ever elected three times in succession.

Mr. LENTZ. They tried to, though.

Mr. GROSVENOR. I was just about to say, he knows further that one of the ablest gentlemen, one of the most popular that was ever nominated in Ohio, was defeated, and in my opinion solely and alone upon the unwritten law of the State that no man should be three times elected. Every other man on the ticket was elected, and my friend here (pointing to Hon. E. L. Lampson) from Ohio was elected lieutenant-governor, but he fared about the same as some other men who have been elected governor—he was hustled out by the Democratic senate.

Mr. LENTZ. He wasn't murdered, was he? [Laughter on the Democratic side.]

Mr. GROSVENOR. He wasn't murdered, and nobody ever put up $100,000 to furnish somebody who was not guilty there.

Now, then, my friend knows, as well as I know, and as well as everybody else knows, that when he insinuates that Monnett was defeated for attorney-general because of his attitude toward the trusts he is quite mistaken in his utterance.

More than that, what do you suppose the trusts of Ohio would prefer to have if there is any such question there. [Laughter on the Democratic side.] I mean any question pending in the courts. Which would the trusts of Ohio rather have, a man of the ability of Attorney-General Sheetz, with his powerful mind, his thorough legal training, his unquestioned honesty, to prosecute them in the courts of Ohio, or a young man who brought to the attorney-general's office very little experience at the bar of Ohio. So there is absolutely nothing in the Monnett business—nothing whatever.

Now let me tell the gentleman something which possibly he has not "caught on" to. He says we have not brought in a bill to repeal the duty on paper. Does the gentleman know what the duty on paper is—how much? Fifteen per cent; the least duty of any manufactured article that enters into any considerable consumption in the United States. On a full investigation by the committee the gentleman from Nevada [Mr. NEWLANDS], as he will tell you, discovered himself that there was nothing whatever in the cry.

Now let me tell you something about which there was a cry, We had collected nearly $2,000,000 upon imports from Porto Rico under the Dingley law after the treaty, and when we undertook to pay the money back what did we meet? We met a proposition——

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I hope the gentleman from New York will give me time enough to finish.

Mr. RAY of New York. I yield the gentleman five minutes more.

Mr. GROSVENOR. We met a proposition from the chairman of the National Democratic Committee to give that money back to the men who had paid it. Who were they? Nineteen times out of every twenty that money had been paid by two trusts—the sugar trust and the tobacco trust.

What next followed? The gentleman has spoken about my genial friend here, the leader of the Democratic side of the House, who had brought in a resolution he says on one question—the pulp question. Let me tell you what that gentleman brought in. He brought in a joint resolution to repeal all tariffs upon all sugar, molasses, and everything else that entered into the manufacture of sugar coming from Cuba and Porto Rico, and to put them on the free list. What would have been the effect of that if enacted? To give $14,000,000 in a single year to the sugar trust—the American Refining Company of New York. That resolution was solemnly introduced in this House and was reported unfavorably from the committee. So my friend must not limit the genius of the gentleman from Tennessee wholly to the question of free paper. He is in favor of free sugar, free molasses, and everything else that goes into the manufacture of sugar.

Now, let me discuss for a moment this idea of taking off the tariff on an article because it has gone into a trust. My friend (we will suppose for illustration) is the manager of a manufacturing corporation, producing a single article. We will suppose that I am the representative of a trust dealing in the same article. Congress repeals the duty upon the products of my trust manufacture. What becomes of my friend? Where is he? That is the only statement that need be made to show how utterly impotent for good such a proposition as that would be. It would simply put the trust possibly at a disadvantage to the extent of the tariff; but they could manufacture more cheaply than the private manufacturer could, so that the reduction of the tariff would destroy the small manufacturer, and leave the larger manufacturer the sole occupant of the field. There is all there is about it.

Now, I shall not attempt to reply to the indictment that my friend has seen fit to file over again—the old indictment which he has filed in nearly every city of the United States—a very able indictment without a shadow of truth in any part of it. [Laughter.] I like to hear it when it comes; I like to hear him speak. I have only one objection. He speaks so mildly and so gently—so free from exaggeration—so utterly devoid of personalities—his argument so evidently comes flowing from the genuine spirit of humanity and love for his fellow-men—that I always feel as if he were going to undermine the foundation on which I stand. Sometimes when he assails the President of the United States in that gentle, mellifluous voice of his, with such agonizing regrets at the misfortunes, the foibles, and the failures of the Administration, I feel as though I should have to turn and run. I get almost in the condition of Peter, and if somebody did not play the damsel and tell me not to go, I do not know but that he would almost persuade me to be a sinner. [Laughter and applause.]

But I shall not further occupy this valuable time. This time is valuable, for we have brought to the Democratic party of this country an issue. They have been in power; four years ago they had in their control all the branches of this Government. Did they legislate on trusts? Not at all. Did they agonize about the labor of the country—did they? Or did they stand helpless and powerless while labor sank to a position which it never before occupied in all the history of the United States? Did they attack any combination of capital—did they? For four long years they stood here and wrangled with each other and produced at last an abortion of a tariff bill that their own President said was a record of infamy and outrage.

Mr. HEDGE. They attacked trusts with their mouths.

Mr. GROSVENOR. Yes; they attacked them with their vocabulary, but in no other way. [Applause.]

[Here the hammer fell.]

Mr. GROSVENOR. Mr. Speaker, I am greatly surprised that my colleague, Mr. LENTZ, should have been mislead into making the statement which he has. I want to read from the official notes and then give the exact facts in the case.

Mr. LENTZ. I wish to suggest to the gentleman from Ohio that Mr. Finck overcame 5,500 of your majority, and yet he did not come here either. He ran 5,500 ahead of his ticket in your district.

Mr. GROSVENOR. I beg the gentleman's pardon——

Mr. LENTZ. Mr. Finck ran 5,500 ahead of his ticket in your district, but that does not prove that you are a bad man.

Mr. GROSVENOR. He did not run 100 ahead of his ticket.

Mr. LENTZ. You got a majority of but 4,500 in a district that has a normal Republican majority of 10,000. [Laughter and applause on the Democratic side.]

Mr. GROSVENOR. Why, the gentleman does not want to stand up here and make such a statement as that.

Mr. LENTZ. I will prove it.

Bear in mind now that this controversy does not arise over the normal majority in the district; it arises over the cold statement that Finck ran "5,500 ahead of his ticket." I desire simply to state that I was first nominated in the present district in 1892, again in 1894, again in 1896, and again in 1898, and following are the figures of the vote for Harrison and Cleveland, Grosvenor, Peoples, Cooley, Taylor, etc., and running clear through, the vote is given upon the head of the Republican and Democratic tickets and upon myself and those who ran against me.

Election of 1892.

	Harrison.	Cleveland.
Athens	4,458	2,599
Hocking	2,034	2,522
Meigs	3,959	2,415
Perry	3,359	3,430
Ross	4,632	4,485
Vinton	1,710	1,748
Totals	20,152 17,199	17,199
Majority	2,953	

Total vote cast, 37,351.

CONGRESSMAN.

Grosvenor	19,905
Peoples	17,254
Cooley	575
Taylor	983
Grosvenor's plurality	2,651
Grosvenor's majority	1,093
Total vote cast	38,717

Election of 1894.

	Secretary of State.	
	R.	D.
Athens	4,445	1,163
Hocking	2,188	1,806
Meigs	3,938	1,244
Perry	3,550	2,726
Ross	5,101	3,786
Vinton	1,924	1,338
Totals	21,144 12,063	12,063
Majority	9,081	

Total vote cast, 33,207.

CONGRESSMAN.

Grosvenor	20,731
Lash	11,601
Crawford	3,115
Raush	1,000
Grosvenor's plurality	9,130
Grosvenor's majority	5,015
Total vote cast	36,447

Election of 1896.

	McKinley.	Bryan.
Athens	5,429	3,272
Hocking	2,746	3,160
Meigs	4,696	2,521
Perry	3,989	4,092
Ross	5,562	4,960
Vinton	2,035	1,812
Totals	24,457 19,817	19,817
Majority	4,640	

Total vote cast, 44,274.

CONGRESSMAN.

Grosvenor	24,333
Finck	19,850
Grosvenor's majority	4,483

Total vote cast, 44,183.

Election of 1898.

	Secretary of State.	
	Republican.	Democrat.
Athens	4,146	1,878
Hocking	2,236	2,398
Meigs	3,783	1,996
Perry	3,306	3,091
Ross	4,943	4,645
Vinton	1,969	1,524
Total	20,383 15,532	15,532
Majority	4,851	

Total vote cast, 35,915.

CONGRESSMAN.

Grosvenor	19,806
Peoples	16,434
Grosvenor's majority	3,372

Total vote cast, 36,240.

RECAPITULATION.

	Republican.	Democratic.	Grosvenor.	Democratic.	Others.
1892	20,152	17,199	19,905	17,254	1,558
1894	21,144	12,063	20,731	11,601	4,115
1896	24,457	19,817	24,333	19,850	
1898	20,383	15,532	19,806	16,434	
Total	86,136 64,611	64,611	84,775 65,139	65,139	5,673
Total	(a) 21,525 13,963		(b) 19,636 5,673		
Difference	7,562		13,963		

a Majority. b Plurality.

It will be seen that in 1898 my majority was 3,372, but it will also be seen that the total vote cast in that year was 36,240, against 44,274 in the election two years before, making a difference of upward of 8,000 in the aggregate vote. So it is presumable that if the full vote had been cast I would have received even a greater majority than I did two years before, and I may state that in 1891, the year before my first nomination, the majority for McKinley over Campbell in the district was only 3,142. This is the starting and is the true basis on which to gauge the effect of my several nominations upon the district which I have the honor to represent. The result as to county officers is quite as striking as upon the head of the ticket.

The present normal majority in the district is just about 4,500 votes, an increase of fully 1,500 over its normal majority when I was first nominated. I am content with these figures; but Mr. Speaker, what have they to do with this whole business? What has the question of whether or not I am a popular candidate got to do with the subject-matter of the discussion which we are now engaged in. It is sufficient for me to say that I would not have made any mention of it or in anywise indulged in it had not my colleague himself introduced the subject.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 3662. An act granting an increase of pension to Louise D. Smith;

S. 2938. An act granting an increase of pension to Joseph Longmire;

S. 1975. An act granting a pension to Annie D. M. Wood;

S. 1593. An act granting an increase of pension to Clara H. Inch; and

S. 2941. An act granting an increase of pension to Robert Gamble, jr.

The message also announced that the Senate had disagreed to the amendment of the House to the bill (S. 351) granting an increase of pension to Samuel S. White, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. QUARLES, and Mr. KENNEY as the conferees on the part of the Senate.

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 amendment of the Senate to the bill (H. R. 8366) to amend section 953 of the Revised Statutes.

The message also announced that the Senate had passed with amendments the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes; in which the concurrence of the House was requested.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House was requested:

Senate concurrent resolution No. 62:

Resolved by the Senate (the House of Representatives concurring), That of each of the remaining volumes of the Philippine Commission's report there shall be printed and bound 1,500 copies of each for the use of the Philippine Commission.

That for the special use of the Department of State there be printed of the full report 200 copies, on 70-pound paper, and bound in half morocco; and 500 copies of the second and subsequent volumes, to be bound in brown cloth, uniform with the first volume, for distribution by the Department of State.

That of the supplement to the commission's report there be printed, for the use of the Department of State, 1,500 copies in royal octavo and bound in half morocco: *Provided*, That the printing and binding of the report of the Philippine Commission under the concurrent resolution of February 23, 1900, shall not include this supplement.

WHITE CROSS SOCIETY OF AMERICA.

The bill (S. 2581) to incorporate the National White Cross Society of America, and for other purposes, was laid before the House with the information that the Senate had disagreed to the amendments of the House and asked a conference.

Mr. MUDD. I move that the House insist on its amendments and agree to the conference.

The motion was agreed to.

The SPEAKER pro tempore announced the appointment of Mr. MUDD, Mr. SAMUEL W. SMITH, and Mr. SIMS as conferees on the part of the House.

TRUSTS.

Mr. RAY of New York. I yield ten minutes to the gentleman from Illinois [Mr. REEVES].

Mr. REEVES. Mr. Speaker, I take it there is little disagreement here or elsewhere upon one proposition, and that is that the common consensus of judgment of the people is that these trusts are deleterious to the best interests of the whole people. The question of a remedy is a most difficult one. In my judgment, the matter under consideration at this time is of as much importance, if not more, than any question that has come before Congress since the declaration of war with Spain.

There is one element in trusts, and, so far as I know, only one,

that is an injurious element. The element of monopoly in the trusts is, so far as I am able to discern, the only dangerous element. That element in and of itself has been a factor in the affairs of men as long as history reaches back.

But only in these modern days has it come about in this form. During the reign of Elizabeth, of England, monopoly in trade was expressly given by franchise; and the courts of England sustained such franchises as constitutional. Later, and upon the death of Elizabeth, the evils of those monopolies having become apparent, the courts of England reversed themselves and declared those franchises unconstitutional. By so doing they prohibited the granting of further franchises in this line and undid what had been granted. From that day to this the sentiment has been growing, not only in European nations, but in our own country as well, against special privileges of any kind or character being granted to anybody.

Many of the State constitutions of the various States of this Union prohibit special legislation. The object of this prohibition was to prevent special privileges of any kind or character being granted to any person or persons. It was discovered, however, by keen, shrewd business men that by enlarging the scope of a given business, by the aggregating of great volumes of capital, manufacturing institutions of the same line, spread over a dozen or more States, could be put together and the entire business involved in these manufactures could be controlled and monopolized as perfectly and completely as though a monopoly had been granted by an act of the legislature.

This new form of aggregated capital in such volume as to create pure monopoly is the thing we call to-day a trust, and it is that element only that is the dangerous one. Take, for example, the State of Illinois. The constitution of our State expressly prohibits special legislation of any kind or character. In our State we can not take hold of an evil that has arisen and exists under the name of a trust and legislate specifically against it, because the constitutional prohibition of special legislation forbids it. The same prohibition, operating in the same way, prevails in a majority of the States of this Union. If, then, it is to be left to the States to control, and if it be true, as I contend it is, that special legislation is required to meet the conditions of a trust, the States are absolutely helpless without first amending their own constitutions. If this be the remedy and the only one, then it will require amendments to at least a majority of the State constitutions of this Union; and that will mean as many different methods of controlling a trust as there are States in which to attempt the control.

On the other hand, if the proposed amendment to the Federal Constitution is adopted, Congress can by one simple act create a uniform method of control of these trusts that shall prevail all over the country. It can be speedy, it can be effective, and it can be tested in one lawsuit, if that should be required, while, on the other hand, it would mean endless litigation, endless legislation, and endless vexation, resulting, in all probability, in failure. An illustration of this condition may be found in the condition in Ireland. All of us are well aware of the fact that Ireland is owned by relatively a few people. Only a few years ago extortionate rentals were charged by the landlords of Ireland, resulting in almost open rebellion.

Gladstone was premier of England, and it fell to his lot to control it, and he passed the Irish land laws, by the terms of which, among other things, it was provided that if a landlord and tenant disagreed as to the amount of rent that should be paid, either party could take the question into court, which would hear evidence and determine the fair rental value. This was special legislation, made possible there because of the powers of the unwritten constitution of England. Here it would be an absolute impossibility, but with authority to act in this matter vested in Congress by the proposed constitutional amendment, Congress will have the power to do as Parliament did in that case—deal directly and specifically with the question.

Any legislation which does not provide ultimately that the courts may dissolve a corporation in the form of a trust and drive it out of business will not be sufficient.

[Here the hammer fell.]

Mr. TERRY. I yield to the gentleman from Ohio [Mr. LENTZ] fifteen minutes.

[Mr. LENTZ addressed the House. See Appendix.]

SUNDRY CIVIL BILL.

Mr. CANNON. I will ask the gentleman from New York to yield to me to ask unanimous consent to have the sundry civil bill as amended and returned by the Senate printed, and the amendments numbered, and that it lie on the table for the present.

The SPEAKER pro tempore. Without objection, the request of the gentleman from Illinois will be granted.

There was no objection.

Mr. McRAE. Is it the purpose to call up this bill to-day?

Mr. CANNON. No; I think it can not be printed and numbered so as to get at it to-day.

TRUSTS.

Mr. RAY of New York. I now yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I take advantage of the liberality of the House, granting leave to print in this general debate, by referring to a speech relating to the wool question, made by the Hon. JAMES D. RICHARDSON of Tennessee, leader of the Democratic minority on this floor, which he delivered on the 31st day of last March.

In replying to the speech of my colleague, Mr. SHATTUC, Mr. RICHARDSON said, among other things:

Mr. RICHARDSON.

* * * * * * *

I want to refer to one particular point, in answer to the gentleman's contention as to the advantage to the country derived from the passage of the Dingley tariff bill in 1897. I want to show by a few figures which I have here that that bill has had a very injurious effect upon one great industry in this country, one in which the gentleman's own State is profoundly interested, the industry of woolgrowing. I think I can show by the figures that the Dingley bill has been disastrous in its effect upon the price of wool in this country.

If the gentleman expects me to contend that the price of wool has not advanced since 1897 or 1898, I will disappoint him, because there has been an increase in the price of wool; but if we are to judge of the results by what has taken place, we will observe that the Dingley bill, or something else that has operated locally, has been disastrous to the price of wool in our country as against woolgrowers abroad. There must be some reason for it. If we are going to attribute a controlling effect to the tariff, I can establish by the figures that the Dingley bill has injured the wool industry in this country; and in order to do that, I want to compare the prices of wool in this country with the prices of wool abroad.

Mr. Chairman, if it can be shown that the price of wool abroad, in all classes, fine as well as common, has increased far more than in the United States, why, then, it must be that we have some local reason for its failure to increase to so great an extent in the United States. The gentleman, I say, insists that the Republican tariff controls the price of wool.

Now, I have here a circular from a leading firm of wool commission merchants, one of the leading firms in the United States, if not the leading firm, Justice, Bateman & Co., of Philadelphia. I wish to submit some of the figures which I get from this circular. I shall ask to insert the whole circular in the RECORD, or so much of it as relates to the price of wool, as a part of my remarks, and I want to comment briefly upon these figures. I shall call the attention of the committee more particularly to the contention I am making.

We have here a comparison of the prices of the different grades of wool, in this circular issued by this firm, first, of seventy-two grades of wool quoted in the circular. It shows that the average price on January 1, 1899, was 18 cents a pound, as against an average of 24½ cents at this date, an advance of 36 per cent in one year. This shows that upon seventy-two different grades there has been an increase of 36 per cent in the price in one year in the United States. This statement shows that on merino wool the advance abroad has been greater than on other grades; and while this advance of 36 per cent in the United States in this one year has been considerable, it has been considerably exceeded by the increase in the outside markets of the world. The per cent of increase outside of the markets in the United States has been 54 per cent. Now, if the Dingley bill and the Republican tariff control the price, I am justified in the contention in the beginning, that the Dingley bill has actually depressed the price of wool in the United States, and there is no escape from this conclusion.

Mr. WM. ALDEN SMITH. I should like to ask my friend a question.

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Michigan?

Mr. RICHARDSON. Yes.

Mr. WM. ALDEN SMITH. I would like to ask the gentleman whether it is not a fact that the value of sheep has very largely increased under the Dingley law?

Mr. RICHARDSON. I am not on that point now.

Mr. WM. ALDEN SMITH. Will you answer the question?

Mr. RICHARDSON. I am giving you the figures on wool, and the gentleman from Michigan may put in his statement in his own time as to the price of sheep. I have not those figures at hand.

Mr. WM. ALDEN SMITH. I ask if the value of sheep has not largely increased under the Dingley law?

Mr. FITZGERALD, of Massachusetts. How much tariff was placed on sheep?

Mr. WM. ALDEN SMITH. I ask the gentleman from Tennessee if the price of sheep has not increased from less than $1 a head to $5 a head?

Mr. RICHARDSON. Do you attribute that to the Dingley bill?

Mr. WM. ALDEN SMITH. I attribute it to this, that there has been an extraordinary demand for wool in the American markets for American wools, and a lessened demand for foreign wool——

Mr. RICHARDSON. How do you account for the figures?

Mr. WM. ALDEN SMITH (continuing). And the value of sheep has greatly increased.

Mr. RICHARDSON. How do you account for the figures that I have given you here, that on 72 grades quoted by this firm—and they could have no purpose in misleading or deceiving—how can you account for the fact that the increase abroad within the year has been 54 per cent in the price, while it has been only 36 per cent in this country on those 72 grades?

Mr. WM. ALDEN SMITH. I do not undertake——

Mr. RICHARDSON. Now, taking finer wools, on merino wool the advance abroad has been greater than on the other grades to which I have referred. Messrs. Buxton, Ronald & Co., in their London wool report, show the advance to have been 60 per cent on merinos and 48 per cent on crossbreds. In the United States the advance on merino and medium wools has only been 34 per cent. On nearly all grades the domestic prices are still below the importing point, the margin increasing as the grades progress from coarse to fine.

I ask consent to put the entire article into my remarks, in order that it may not be contended that I have garbled their statement in any respect.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to insert in his remarks the article referred to. Is there objection?

There was no objection.

The matter referred to is as follows:

"THE WOOL SITUATION.

"At no previous time has the home market been more completely in the possession of the domestic woolen manufacturer than it is at present, nor has the wool situation ever before appeared to rest upon a more solid foundation.

"Almost without exception manufacturers have sold their output for months ahead, and having bought sufficient wool with which to make the goods required by these contracts, their interest in domestic wool at the advanced prices, even though below the cost of foreign, has perceptibly slackened.

"This does not seem to have affected prices, however, for they continue remarkably firm, nor has the recent financial stringency developed any weak spots in the wool market.

"A comparison of the 72 grades quoted in our circular shows that the average price was 18 cents on January 1, 1899, as against an average of 24½ cents at this date, an advance of 36 per cent in one year.

"While this advance has been remarkable, it has been exceeded by that in the outside markets of the world, where the average advance since this time last year has been 54 per cent.

"On merino wool the advance abroad has been greater than on other grades. Messrs. Buxton, Ronald & Co.'s London wool report just issued shows the advance to have been 60 per cent on merinos and 48 per cent on crossbreds.

"In the United States the advance on merino (taking XX Ohio as a basis) and medium wools has been only 34 per cent.

"On nearly all grades of domestic wools prices are still below the importing point, the margin increasing as the grades progress from coarse to fine.

"The present consumption of wool in the United States is estimated at 600,000,000 pounds per annum, and it seems as near certain as anything can be that the home supply will be inadequate for the requirements of manufacturers for this year, thus necessitating extensive importations.

"According to the Wool and Cotton Reporter the amount of wool on hand at the present time, exclusive of that in manufacturers' hands, and of foreign wools still in bond with the duties unpaid, is more than 50 per cent less than it was a year ago.

"It is evidently in view of these facts that already in many wool-growing sections buyers are contracting for the next clip in the belief that wool on the sheep's back at prices current to-day will show a handsome profit before the end of the year.

"WILL PRESENT FOREIGN PRICES BE MAINTAINED?

"Measured by No. 60's Botany Tops, merino wools in Europe have advanced 59 per cent since January 1, 1899, which is the greatest advance in foreign markets for over thirty years.

"The nearest approach to it was in 1870. Then, as now, the advance was caused by an abnormal mortality among sheep in the Southern Hemisphere, but as the percentage of losses then was less than half as great as it is now, it seems almost inevitable that the effect upon prices at this period will be proportionately greater.

"Prices advanced without interruption from December, 1870, until February, 1872, and although there was a slight temporary reaction in the early part of 1872, prices closed higher in December of that year than in any previous part of the period.

"The advance was practically continuous for two years from December, 1870, to December, 1872, and wool values remained on a high plane for several years afterwards.

"The diagram [not supplied] in the next column shows the course of prices at that time, and as history frequently repeats itself, and especially as the present advance (instead of lacking any element of stability possessed by the former one) seems to be based on an even more solid foundation, from every point of view the indications are for a continuance of a higher plane of wool prices all over the world during the next few years.

"It has been argued that consumers can not afford to pay the advance in the cost of clothing necessitated by higher wool prices; but if foreigners can buy clothing made of fine wool 60 per cent dearer than a year ago, surely the wealthier American masses can afford to wear clothing made of similar wool which has advanced only 34 per cent.

Mr. HENRY of Connecticut. With the gentleman's permission, I will ask if in your opinion the fact that there was a disastrous drought in Australia, where most of the fine wool used in England and in this country comes from, did not affect the price of wool?

Mr. RICHARDSON. I think not. This article makes no estimate of that, and I am not undertaking to account for it.

Mr. HENRY of Connecticut. But it is a fact that sheep in Australia died by hundreds of thousands on account of that drought.

Mr. RICHARDSON. The gentleman must mean by that that the Dingley bill kept the sheep from dying here in this country?

Mr. HENRY of Connecticut. We know that hundreds of thousands of sheep in Australia were destroyed.

Mr. RICHARDSON (reading)—

"Measured by Nobo's Botany tops, merino wools in Europe have advanced 59 per cent since January 1, 1899, which is the greatest advance in foreign markets for over thirty years. The nearest approach to it was in 1870."

Now, Mr. Chairman, I will publish that. I want to add to my remarks an extract from a letter from another firm of wool merchants, Louis S. Fiske & Co., of Philadelphia, addressed to a large wool grower in the West:

"DEAR SIR: We see by the newspaper reports that the growers of your State are contracting their wool now and tying themselves up for next season. This would seem to be unwise, with such a market as you are assured of having next season and a constantly advancing market abroad. From the statements of the best authorities, there is a shortage of fine wools the world over. Domestic wools are still below the price of foreign wools, and it is expected at the January sale that there will be a still further advance abroad."

Now, Mr. Chairman, I have nothing more to say except to emphasize the fact that if the Republican tariff has controlled the price of wool, it has controlled it injuriously in the United States, and has put down the price of wool as compared with the price of that article abroad. It has grown in price more rapidly and higher, and the per cent of increase has been far greater, abroad than in the United States, as shown by this authority.

Mr. WM. ALDEN SMITH. I would like to ask the gentleman a question. He means to be fair about this, I have no doubt. I would like to ask the gentleman from Tennessee if it is not a fact that during the last year of the Wilson law, when we had free wool, our wool market was overcrowded with foreign wool from Australia, New Zealand, and other countries; and if it was not a fact that for over a year after the passage of the Dingley bill few of the fruits of that act could be realized by the American farmer because of excessive importations of foreign wool? But the gentleman from Tennessee knows and must admit that the value of sheep has very largely increased under the Dingley law; with the tariff, the valuation of wool to the woolgrower will be increased.

Mr. RICHARDSON. I propose to conclude my remarks, and I will yield then to the gentleman.

Mr. WM. ALDEN SMITH. I want to ask you if that is not true, that we had a large excess and oversupply of foreign wool here when the Dingley law went into effect?

Mr. RICHARDSON. There may have been. I have not the figures before me, and I would not undertake to reply without them. The gentleman can produce his figures if he chooses. But that was not the line of argument that I was pursuing. If it be conceded that the answer would be along the line of the gentleman's inquiry, that will not controvert the fact that I have produced here, and that is that under the Republican tariff the price of wool has increased everywhere more than in the United States, and the gentleman will be at liberty to produce the facts to show that the Wilson tariff affected the price of sheep if he can do so.

I have published substantially the entire remarks of the gentleman in order that there may be no complaint that injustice has been done or that anything he said has been in anywise garbled.

That which he was apparently aiming to show was the fact, as he claimed, that the advance in the price of wool in this country was caused by some extraordinary and unusual conditions in the foreign markets.

In order that I might have the benefit of the opinion of Mr. Theodore Justice, to whom Mr. RICHARDSON has referred with approbation, I sent Mr. RICHARDSON's speech to that gentleman, and shortly afterwards received from him a letter, which I will now publish. And in this connection I may say with propriety, following up the indorsement of Mr. RICHARDSON, that there is probably no man in the United States who has more thoroughly mastered the whole subject of wool prices, wool markets, and wool conditions than has Mr. Theodore Justice. But I here reproduce his letter:

[Justice, Bateman & Co., wool commission merchants, 122 South Front Street.]

PHILADELPHIA, *April 7, 1900.*

DEAR SIR: I have yours of the 3d instant, and am surprised that Mr. Richardson should have quoted our circular proving, by its first paragraph, the inestimable benefits being received by our people from the Dingley tariff act, and especially benefits to the woolgrower. In the very first paragraph in that part of the circular quoted by Mr. Richardson we state "that at no previous time has the home market been more completely in the possession of the domestic woolen manufacturer than it is at present, nor has the wool situation ever appeared to rest on a more solid foundation."

These conditions as compared with those of the Wilson tariff act, when our home market had been surrendered to the monopoly of foreigners, and when our machinery was running only half time, and when wages were falling, as against advancing wages under the Dingley tariff act, were contrasts so overwhelmingly in favor of the present as to cause wonder at Mr. RICHARDSON's use of these facts.

On the 1st of January of this year, owing to the Dingley tariff act, 200,000 factory operatives received an advance in wages, and to-day, owing to full employment brought to them by the Dingley tariff act, the average earnings of adults engaged in the manufacture of woolens is $11 per week as against $5 under the Wilson tariff act. Now they are employed sixty hours a week as against thirty hours a week during the period of the Wilson tariff act, and they now get 10 per cent more pay for each hour employed.

It is true that merino wools on the 1st of January had not advanced here as much as they did abroad, for the reason that during the free-wool period the markets of the world were stripped of their free-wool surplus, and relieving those foreign markets by sending here what was equal to a three years' supply for us, brought into the United States in anticipation of the Dingley tariff act, thus handicapping us with the world's surplus wool. The effect of this tremendous free-wool handicap has been to prevent the advance in wool in the American markets from being quite as great as the advance in the outside markets of the world, which latter, instead of being smothered with it, as we have been, have been benefited by the scarcity of wool. That American wools have advanced as much as they have, in spite of the crushing avalanche of free wool imported under the Wilson tariff act, is the strongest testimony in favor of the wisdom and beneficence of the Dingley tariff act, which, by April 1 of this year, has raised domestic prices, in spite of the free-wool handicap, to a higher degree than anyone could have anticipated. On some grades of American wool prices are now on a parity with foreign with the duty added, and on all grades domestic is nearly up to the cost of foreign with duty added.

Quite recently coarse wool clipped from American sheep of the Shropshire grade was selling at 30 cents in the unwashed condition in the markets of the United States, the clean-scoured cost of that wool to the manufacturer being 53 cents. Owing to a recent decline in London, wool bought there to-day can pay the Dingley duty of 11 cents per pound, plus 1 cent per pound expenses for bringing the wool to the United States, and can be sold to the American manufacturer to-day at less than 47 cents clean, which, of course, has compelled the American woolgrower to lower his price on Shropshire unwashed wool from 30 cents in January to 27 cents now. The Dingley tariff act on this grade of wool is in full operation, and raises the American price to the full extent of the tariff. The American woolgrower will realize how much the Dingley tariff act has done for him when he reflects that this same American Shropshire wool which is bringing 27 cents in the Philadelphia market if sold in the London market would fetch 12 cents less per pound than it brings here, so that its London value would be 15 cents, and if the Dingley tariff act was repealed and the Wilson law substituted the London price of 15 cents would be the American price, instead of the latter being 27 cents, as it is.

The following table in parallel black lines illustrates in the first place by the imports under the Wilson tariff act how we were swamped with foreign free wool. The tables under 1898 and 1899 show how the Dingley tariff act has kept out this foreign wool. The long black line opposite the year 1897 represents the surplus of class 1 and class 2 wool, of which Europe was relieved in anticipation of the Dingley tariff act, and which was imported under the Wilson tariff act, and is the handicap that has up to this time prevented the advance in America from being in every grade of wool quite up to the cost of foreign with the Dingley tariff duties added.

The inclosed diagram, marked A, illustrates the course of foreign as compared with domestic prices for wool of the same kind from January 1 to April 1. Line B, in the middle of the diagram, illustrates the course of prices of XX Ohio in the United States. Under the Dingley tariff act this grade of wool in the United States since January 1 has declined 5½ per cent, because of the influence of the 17¾ per cent decline in the same grade in the London market, which is illustrated in line C. If you will examine line C in the diagram from 1892 to the present time you will see the prices which the American woolgrower would have received in the London market if he had sent his wool there to be sold. Line B, just above, shows the course of prices in the United States.

You will notice that in 1892, under the McKinley Act, XX Ohio was selling in the United States at an average price of 29½ cents, and yet if it had been sold in London it would have brought only 19½ cents. In 1896 (Wilson law), under free wool, XX Ohio was worth 18½ cents in the London market, and yet it was worth only 18 cents, or ½ cent less, in the American market. On April 1, 1900, under the Dingley tariff act, XX Ohio in the United States averaged 34½ cents, while if it is sold in the London market it would fetch only 25½ cents. What better evidence could there be than this that the Dingley tariff act raised the American price of XX Ohio 35 per cent above its London value, whereas the Wilson tariff law lowered the American price of XX Ohio to nearly 3 per cent under its value in London.

Nineteen grades of wool on April 1, 1900, averaged 32 per cent higher than they were on April 1 one year ago, while nineteen similar grades of foreign wool on April 1, 1900, are only 26½ per cent higher than they were one year ago. Thus you will observe that the Dingley tariff act has caused an advance in nineteen

grades of 5½ per cent greater than the advance in the markets of the world on the same number of similar grades of wool.

The American Economist of New York has sent out postal cards to the woolgrowers in the United States asking them to fill out the blank form on the postal cards with the comparative value of sheep per head under the Wilson law in 1896, and the Dingley tariff act in 1900. I have written to the secretary, as you will see by the inclosed copy of letter, to forward the same to you.

Very truly, yours,

THEODORE JUSTICE.

Hon. C. H. GROSVENOR,
House of Representatives, Washington, D. C.

It would seem that there was nothing more to be said or that need be said on this subject, but I will say more.

Here is published a Treasury report of May 15, 1900:

[Financial article from the New York Evening Post, May 15, 1900.]

The Treasury published to-day its report on the country's foreign trade for April, and the figures again throw highly interesting light on the problem of the foreign exchanges. Briefly, the showing is, that although imports of merchandise rose last month to the largest volume ever but once recorded for the period, our export trade was so enormous that the excess of exports runs beyond any corresponding month in the country's history. It even exceeds, by a small amount, the trade balance of April, 1898, when Europe's famine demand was crowding every available ocean ship with wheat and corn. Comparison with that interesting period, two years ago, will show very strikingly how the composition of our export trade has changed.

In 1898, the April exports were made up of $62,000,000 agricultural merchandise, comprising $14,000,000 cotton, and of $37,000,000 other products, chiefly manufactures. In 1899, $64,500,000 agricultural exports, of which cotton made up $24,600,000, are supplemented by $54,400,000 nonagricultural commodities. In other words, while cereal exports, which were the backbone of our export trade two years ago, have subsequently decreased 30 per cent—were needed at home by our better employed people, who, under Dingley Act, can now afford to buy lavishly—cotton sent out to other countries has expanded in value 71 per cent and manufactured goods no less than 46 per cent. This extraordinary shifting about in the volume of our exports—the offsetting by shipment of other goods the normal contraction of our breadstuffs trade—is the secret of our marvelously persistent export balance. Nothing like this occurred after the foreign famine and American trade revival of 1879 and 1880. The export trade of that epoch reached high level in the second year of foreign grain shortage, ending with June, 1881.

The volume of exports from this country during the twelve months before that date was never approached again in the succeeding decade; in most years it was a hundred million dollars less. In the present decade the foreign crop shortage ended with 1898, and cereal shipments since then have decreased at the rate of $40,000,000 annually. Yet our total outward trade for the ten months ending April 30—already in 1898 exceeding a billion dollars—increased $66,000,000 in the fiscal year 1899, and $135,000,000 more in 1900. Despite the gold export movement, the peculiar nature of which is well enough understood, it is hard to imagine, in the light of any precedent, what is to be the outcome of this situation. The nation grows rich under the policy of protection to our home industries. The home market is our best market.

THEODORE JUSTICE.

Following that here is a statement of the wool imports into this country for the various years, showing first that after the accession of Cleveland to power in 1893 but 55,000,000 pounds of wool were imported into this country, but that under Cleveland and Wilson free-trade bill we imported nearly 800,000,000 pounds, and so utterly overstocked the market that no such impression was made by the Dingley bill at first as we had a right to have expected.

WOOL IMPORTS.

The history of wool imports into the United States should be conclusive proof to every owner of sheep in this country that free trade means the use of foreign wool in American factories, while protection means the use of American wool. Study the following figures:

Wool imported.

Fiscal year.	Pounds.	Tariff period.
1893	172,433,838	McKinley tariff.
1894	55,152,585	Waiting for free wool.
1895	206,033,906	Cleveland and free trade.
1896	230,911,473	
1897	350,852,026	
1898	132,795,202	McKinley and protection to farmers.
1899	76,736,209	

Under the McKinley tariff in 1893 we imported 172,433,838 pounds of foreign wool.

In 1894, while buyers were waiting for the free-trade Wilson bill to become law, we imported only 55,152,585 pounds.

In the free-trade years, when American sheep were being slaughtered because it didn't pay our farmers to sell their wool for a few cents a pound, the foreign wool came flooding into our markets by shiploads—more and more of it each year.

In 1897 we bought, under the free-trade Wilson bill, 350,852,026 pounds of foreign wool. This was 175,426 tons of it—enough to load 58 British merchant vessels, each carrying 3,000 tons of wool grown mostly in British colonies. This is the sort of pro-British treaty that the Democrats make.

Last year, under the protection of the Dingley tariff, we only imported 76,736,209 pounds of foreign wool—nearly 300,000,000 pounds less than in 1897.

Last year American wool was used in making American cloth in American mills. American sheep were worth $1.35 each more than in 1895, and American wool sold at from 10 to 18 cents a pound higher than in 1895, sheep and wool having practically doubled in value.

Here is also published from the American Economist, that very ably and carefully edited and compiled source of information, a sheet showing a great deal that would be useful to my friend from Tennessee if he would carefully study it:

WOOL—CURSES THAT, LIKE CHICKENS, MAY COME HOME TO ROOST.

"D—n the tariff and all its fools!" Such is the message of the Field and Farm, an agricultural journal published in Denver, Colo., in response to a request by The American Protective Tariff League for information concerning the industry of sheep raising. The inquiry sent out by the Tariff League was as follows:

"DEAR SIR: We are anxious to show by reliable reports the actual effect of the Dingley tariff upon the industry of sheep raising. Wool was upon the free list under the Wilson free-trade tariff and is now adequately protected by the provisions of the Dingley tariff.

"Kindly fill out the blank spaces on the reverse side of this card and return the same to us at your earliest convenience.

"The information asked for will be held strictly confidential, and in no case will the figures furnished be used otherwise than making up the totals upon which general percentages are to be computed.

"Yours, very truly,

"THE AMERICAN PROTECTIVE TARIFF LEAGUE.

"Summarized returns of this investigation will be printed in the American Economist, and a copy mailed free to persons furnishing reports."

Accompanying this inquiry was a leaflet showing the effects of protection and free trade on woolgrowing and sheep raising. For example, from 1878 to 1882, inclusive, under the Morrill tariff the number of sheep throughout the country increased by over eleven millions. Under the tariff of 1883, in which the duties on wool products were materially reduced, the number of sheep decreased by about six millions. With restored protection to wool through the McKinley tariff of 1890 the number of sheep increased by nearly four millions. The Wilson tariff, with free trade in wool, practically went into effect when Mr. Cleveland was elected, and immediately the flocks throughout the country began to decrease, and from 1893 to 1896 decreased by about nine millions. The Dingley tariff reimposed the scientific schedules of the McKinley tariff, and with the promise of protection through the election of William McKinley and a Republican Congress the sheep industry immediately began to advance. From 1896 to and including 1898 the number of sheep advanced by about one million three hundred thousand.

The effect of protection and free-trade in regard to the number of sheep owned throughout the country is not more impressive than the effect as to values. Under the Morrill tariff the lowest price per head was $2, and the highest $2.55. Under the tariff of 1883 the lowest price per head was $1.09, and the highest price was $2.27. Under the McKinley tariff the lowest price was $2.49, and the highest price $2.66. Under free-trade the lowest price was $1.58, and the highest price $1.92. Under the Dingley tariff the highest price in the history of the nation is recorded—namely, $2.75.

These facts of vital interest to the sheep raisers of Colorado and adjoining States seem to have had an inflammatory effect upon the editor of "Field and Farm." Hence his objurgatory response: "D—n the tariff and all its fools!" Why? We do not know. We could not possibly have supposed that the citation of facts like those gleaned from official statistics and quoted above would operate on the mind of the editor of "Field and Farm" as a red rag operates on the sensibilities of a bull, and cause him (the editor) to lose his temper and fall to cursing like a drab.

We hardly think the sheep raisers of his section will join this Bryanite in "d—ning the tariff." Over the border in Utah they will not be likely to echo his profane sentiment. A sheep raiser in Utah County, for example, will not "d—n the tariff," for he reports that whereas in 1896 (Wilson free-wool tariff) he owned 8,000 sheep of an average value of $2 per head, he owned in March, 1900 (Dingley protective tariff), 11,000, of an average value of $4.25 per head.

Sheep raisers in Choteau County, Mont., do not "d—n the tariff." One of them reports that his flock has increased from 4,000 in 1896 to 6,500 in 1900, and that the value per head has increased from $2.25 in 1896 to $5 in 1900.

From Bingham County, in Idaho, comes the statement of a farmer who owned 2,900 sheep in 1896 and now owns 6,000; market value in 1896, $2.50 per head; market value in 1900, $5 per head.

Reports from Colorado are even more impressive. A Trinidad man now has 8,000 sheep against 6,000 four years ago, and their present value is $4.50 per head against a value of $2.50 per head in 1896. Another Trinidad man has increased his flock from 3,500 to 5,000, and quotes value at $4 per head instead of $1.25 per head in 1896. A Trinchera flock owner has 4,200 sheep, or 2,700 more than he had in 1896, with value at $4 per head, or just double the value of 1896.

These are fair samples of the large number of reports received from the localities from which (presumably) the major portion of the reading patronage of the Field and Farm of Denver is forthcoming. Do these prosperous farmers, who are in the aggregate many millions of dollars richer because of the change from free wool to protection, "d—n the tariff?" We should think not. It is much more reasonable to suppose that their profane expletives, if they use any such, will be applied to an editor who, while publishing a paper for farmers, has so little sense as to shower curses upon an economic policy through whose operations, directly and indirectly, the farmers of the United States have in the past three years been able to recoup in great measure the frightful losses—estimated at upward of five billion dollars—which they suffered during four years of Cleveland and free trade. "D—n the editor" the farmers might, and with just cause, but not the tariff.

TARIFFS AND WOOL PRICES—WHAT THE FARMERS OF WOOL-GROWING STATES HAVE AT STAKE IN PROTECTION.

After an abnormal boom all over the world, wool prices are again declining, and, of course, the Bryan prophets of calamity, who in the East arraign the tariff for keeping up prices, in the West are vehemently assuring the wool growers that protection fails to protect them.

But the Boston Commercial Bulletin, in a careful editorial article, makes short work of this misrepresentation. It shows, first, that though the speculators have been disappointed, the fall in wool prices has not been excessive. These are the figures:

	Port Philip, 60's comb, clean.	Ohio XX.	Michigan X.	Terry. delaine, clean.	Fine Kentucky, one-fourth blood, clean.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*
January 1	90	38	30	75	50
March 17	83	35	27	67	50

This is small fluctuation, and even the Territory wool, which seems to have suffered worst, stands now at a better value than the best attained under the McKinley tariff, as the Commercial Bulletin proves:

	Port Philip, 60's comb, clean.	Ohio XX.	Michigan X.	Terry. staple, clean.	Fine Kentucky, one-fourth blood, clean.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*
January 1, 1892	73	30	26½	64	48
March 17, 1900	83	35	27	67	50

That the wool growers may realize how much more fortunate they are now and have been than they were in the old Democratic calamity days, the Commercial Bulletin reminds them that "before the present drop—that is to say, on January 1, 1900—wool sold for more than twice as much as it did when Mr. Cleveland had given us free trade and Mr. Bryan threatened to add free silver." Here is the full measure of the increase in wool prices to January 1, as compared with the ruling rates in the Bryan campaign of 1896, as this authority gives it:

	Port Philip, 60's comb, clean.	Ohio XX.	Michigan X.	Terry. delaine, clean.	Fine Kentucky, one-fourth blood, clean.	
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	
Sept. 1, 1886 ..	42	17	14	30	25	
Jan. 1, 1900 ...	90	38	29	75	50	
	48	21	15	45	25	Cents per pound higher under the Dingley Act than under the Wilson Acts; average, 30 4-5 cents.
	114	123	107	150	100	Per cent higher under the Dingley Act than under the Wilson Act; average, 118 4-5 per cent.

This is powerful argument, surely, why the Western woolgrowers should let well enough alone. Protection and sound money are, of course, not the only factors in their recent prosperity, but they are elements of tremendous importance. The farmers of the middle West, the Mississippi Valley, and the far West have just as much at stake in the maintenance of tariff and gold standard as have the Eastern people whom Bryanite demagogues try to persuade them to envy and hate.—Boston Journal.

The following letter transmitting the foregoing is self-explanatory, and on the whole answers Mr. RICHARDSON's point:

[Justice, Bateman & Co., wool commission merchants, 122 South Front street.]

PHILADELPHIA, *April 16, 1900.*

DEAR SIR: The inclosed, taken from the American Economist of this week, will give you some additional facts for use in your speech, which will show that the Dingley tariff law has raised prices for American wool above prices current at the time of the free-wool Wilson Act. If you make use of the facts furnished herein, you may be asked if, during the periods compared, there was not an advance in the markets of the world on wools of the same kind and quality. It is true that there was, but the maximum advance in the markets of the world was not over 66⅔ per cent between September, 1896, and January 1, 1900, as against a maximum advance of 150 per cent in wool of the same kind in the United States, viz, Michigan X. The average advance in the United States was about 118⅘ per cent, as against an average advance in the markets of the world of but little over 50 per cent.

Very truly, yours,

THEODORE JUSTICE.

Hon. C. H. GROSVENOR,
House of Representatives, Washington, D. C.

In this connection is reproduced another wool circular of Justice, Bateman & Co., with their letter of transmittal.

DIAGRAM SHOWING THE INFLUENCE OF TARIFF UPON PRICES.

In order that those interested in the wool industry may compare prices of wool in the United States under a protective tariff with prices when wool was free of duty, and also to show both the London value of American wool and the influence of the tariff upon it, we have prepared the accompanying diagram showing the course of prices from 1892 to 1899 of Botany Tops in London, and XX Ohio in the United States, as well as what would have been the value of XX Ohio in London. The figures in the right-hand column show values to-day.

Taking No. 60's Botany Tops in the London market as the basis of value for merino wool, we find that, owing to the McKinley tariff act, XX Ohio was worth 29½ cents in the United States, and 19½ cents at the same time in London.

In 1895, under free wool, XX Ohio was worth 17½ cents in the United States as well as in London, while in 1896, also under free wool, it was actually worth 1 cent per pound less in the United States than it was in London.

In 1897, when the Dingley tariff act was passed, although the American market was weighted down with an enormous wool supply purchased abroad on the free-wool basis, XX Ohio, which was worth 18 cents in London, rose to 23½ cents in the United States, and in 1898, when this enormous handicap of free wool began to be reduced, XX Ohio, which was worth only 19½ cents in London, was worth 29 cents in the United States.

In 1899, owing to the boom having been greater in London than in the United States, XX Ohio was worth 25½ cents in that market, while it averaged 29½ cents here; but the London boom having collapsed since then, the value there of XX Ohio has fallen over 11 per cent to 22½ cents to-day, while its value here is 31 cents, or 5 per cent above the average of last year. See diagram.

But for the Dingley tariff, prices in the United States would have been as low or lower than they were in London during these years, just as they had been under free wool in 1895 and 1896.

[Justice, Bateman & Co., wool commission merchants, 122 South Front street.]

PHILADELPHIA, *May 14, 1900.*

Hon. C. H. GROSVENOR,
House of Representatives, Washington, D. C.

DEAR SIR: I am sending you under separate cover a chart which will show you how to answer Representative RICHARDSON, of Tennessee.

You recollect he quoted our circular some time ago, showing that wool had advanced more in the markets of the world than in the United States. That was because London was having a boom, and in spite of the handicap of a three years' free wool supply we were following after them in the upward trend of prices; but owing to this free-wool handicap we did not advance as rapidly as they did.

In anticipation of our tariff in 1897 the United States relieved the markets of the world of the surplus wool, which came in here free of duty. We have had this great load to carry, so that we hardly kept pace with the markets of the world in the upward rush of prices. The London boom, however, has collapsed, as you will see by the chart.

Line A, in comparison with the average price of last year, shows that the London market for merino wool has declined about 12 per cent (the actual figures are over 11¾ per cent), while XX Ohio, which is the same grade in American wool, as you will see by Line B, is 5 per cent higher to-day than the average price of last year.

The position now is just the reverse of that quoted by Mr. Richardson, and as he quoted us and our circular, thinking he had made a great discovery in favor of an argument against protection for wool, it is only fair that you should again quote our circular when it is against him and in favor of protection to wool, so that we inclose our circular of May 1, which exhibits the changed conditions. Any Ohio wool grower can see what his wool would have brought in London in any year since 1892 by referring to Line C in the diagram, which shows that if XX Ohio wool was sold in London to-day it would bring about 12 per cent less than the average price of last year, whereas in the United States under the Dingley tariff act it is bringing 5 per cent above the average price of last year.

Very truly, yours,

JUSTICE, BATEMAN & CO.

Following are the prices of Ohio fleece wool from Manger & Avery, of Boston, a most reliable house:

WHAT FREE WOOL MEANS.

"I am for free wool," said Hon. William J. Bryan in Congress when he was a member of the House of Representatives. Now, let us see what free wool means to the American farmer. Let us take a standard grade, like Ohio fleece wool. Here are the prices at which it sold in the month of January of each year from 1890 to 1900, inclusive:

OHIO FLEECE-WOOL PRICES.

[From Manger & Avery, Boston.]

Year.	January.		
	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
1890	33	37	29
1891	33	37	31
1892	30	35	31
1893	29	33	29
1894	23	24	21
1895	17½	20	19
1896	19	21½	19
1897	19	21	19
1898	29	30	26
1899	26½	29	24
1900	35	36	29

These figures are very interesting. Note the high prices paid for Ohio wool during the Republican Administration of President Harrison from 1890 to 1893.

Then note the decline of 10 to 12 cents per pound between the 1893 and 1897 January prices during the free-trade administration of Grover Cleveland.

Note once more the sharp advance in wool values in 1898 to 1900. It is needless to say this was under a protective tariff and a Republican Administration—during McKinley prosperity.

Western farmers will see to it that the high price of wool is maintained for another four years by voting for McKinley and electing only Republican Congressmen.

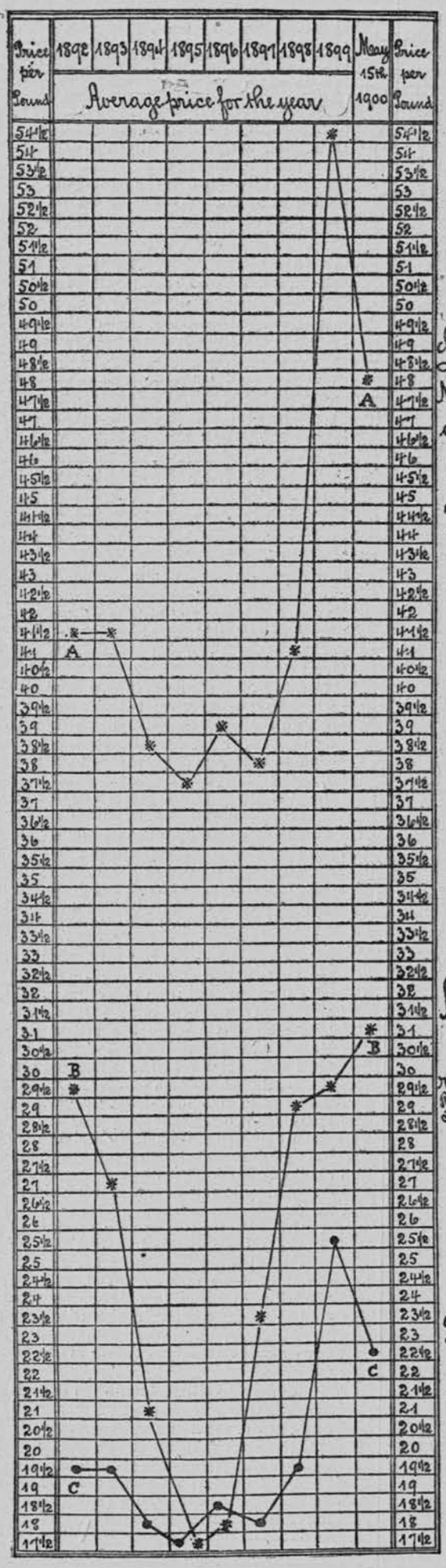
Every farmer should cut this out and paste it up by his fireside for reference in the first few days of next November.

Mr. Speaker, as the hour approaches when we shall cease our legislative labors and go before the country on the questions that have been passed upon thus far in the life of the present Congress, I beg the indulgence of the House in offering some remarks upon a somewhat trite topic, "American tariffs and American sheep." "That subject is worn threadbare," I expect to hear someone say. Is it? I think not. Within the past few hours facts have come to my notice which seem to me to freshen up the fabric and make it look like new; facts which are of such strong import and such direct consequence that they should obtain dissemination through every possible channel. I am going to talk a little while about the American sheep and of the varied and varying fortunes of the man who owns him; of the sheep's ups and downs; of his "decline and fall off;" of his rise and progress, all by reason of and in direct connection with the shifting policies that have controlled his condition and standing among the farm animals of our big country. There is no better barometer of progress and prosperity, or otherwise, than this same American sheep. Tell me how stands your sheep in respect of value and productiveness and I will tell you how the country stands in the same respect.

Not long ago the Fairfield (Iowa) Register printed a little anecdote that goes straight to the point of illustrating the great increase that has taken place in the productive value and market value of sheep. It appears that last fall, in making a sale of a bunch of sheep at $3 per head, F. C. Hollister, of Buchanan Township, had one ewe rejected because she did not come up to the standard. He cared for her during the winter, and is as well satisfied as if she had been taken when sold. She had twin lambs in January which weighed 90 pounds at three months and sold at 6 cents per pound, or $5.40. The ewe herself weighed 140 pounds, and brought $4.90, while she sheared 8 pounds of wool which sold for 23½ cents per pound, or $1.88. Here is a return from this animal of $12.18.

Commenting on this episode of the rejected sheep, the Des Moines Register said:

Sheep are about the most profitable and useful animals on the farms, if they are well cared for; and they constitute about the best property barometer to indicate the condition of the Government and the people. Many farmers insist that sheep pay for themselves in weed killing and enriching the soil, and that all the other income from sheep is clear profit—a profit that will average more than 100 per cent annually as long as American labor receives the protection it should have. The income from that scrub sheep would not have paid for the sheep's feed during any six months of the free-trade and free-silver agitation hard times—from 1893 to 1897. Compare the history of that scrub sheep with any of the speeches of Col. W. J. Bryan, and you will have proof of the difference between principle and theory.



London value of Merino wool scoured carded and combed into No. 60's Botany Tops Wool similar to XX Ohio. see line A.

American prices for XX Ohio resulting from the Free wool experiment. see line B.

London (Free Trade) value of XX Ohio. see line C.

Colonel Bryan assisted with his vote in the passage of the Wilson tariff of 1894, with its abominable free-wool clause, and we have his own word for it that he stands to-day where he stood six years ago—in favor of the removal of all protective duties from imported wool.

Farmers in Oregon have had the same experience with their flocks of sheep as has resulted elsewhere through the Democratic slaughter of the protective tariff. Sheep were worth almost $6,000,000 to Oregon farmers in 1893, having increased in value from $2.12 in 1891 to $2.40 a head in 1893. But then came the policy of destruction by the Democratic Administration. Sheep that were worth $2.40 each just before the inauguration of President Cleveland were only worth $1.16 two years later—a drop of more than 50 per cent.

Better times came in 1896 when President McKinley was elected, with a Republican Senate and House of Representatives. The sheep of Oregon began to pick up a little. In March, 1896, eight months prior to the election of that year, the average value per head had increased to $1.44. The price began to go up directly following the restoration to power of the party of protection. In 1898 Oregon sheep had advanced to a value of $1.66 each. In the year following the figure had gone upward to $2.49, and had passed the mark of 1893. A year later, after thirty-two months of restored protection, and after the demands of manufacture had worked down the enormous oversupply of foreign wools that had been dumped on the American market in the closing months of the "open-door" policy of the Cleveland-Wilson tariff, sheep in Oregon had leaped from a value of $1.16 in 1895 to an average value of $3.87 in March, 1900, an increase of more than 200 per cent, and a gain of about $4,000,000 in the cash assets of the sheep owners of the State of Oregon. That represents a single State of the Union, and this by no means one of the leading sheep States, the cash value of protection for American wool as against free trade in wool.

Even the goats of Oregon have felt the inspiring effects of protection and have taken upon themselves an added sense of dignity and self-respect. I learn from the Salem Statesman of a recent date that there has been a great increase in the number and value of Oregon's flock of goats, as well as in the value of their fleeces. Mohair, you know, enjoys the same measure of protection as the finer grades of wool, and needs it quite as much. There is scarcely an acre of ground in Oregon, from the sage brush plains and the fertile valleys to the tops of the highest mountains, that is not suitable for either sheep or goats. And the same is true of many other regions of the United States—regions by nature wholly unfitted for any form of agricultural enterprise save that of grazing sheep and goats.

A remarkable illustration of the difference in the value of sheep under free trade and protection occurred in connection with an assignee's sale of the estate of a farmer in Jefferson County, Ohio, in October, 1894, a few weeks after the passage of the Wilson bill with its free-wool clause. The animals sold were all fine black-topped Merinos. The files of the Ohio State Journal show that 40 ewes sold at this sale for 69 cents each, 30 lambs for 30 cents each, and a registered buck was knocked down for 50 cents. Other lots chosen from the same flock sold at similar prices, and all were fine Merino sheep.

It is recorded that a farmer in Fulton County, Ohio, recently sold 125 head of sheep for $800, being $6.40 per head. The farmer of Fulton County will tell you that under the Wilson law that number of sheep would not have produced $125, perhaps less, and that owners would have had to look around a long time for a purchaser at any price.

Let us devote a moment's attention to a section of the country seldom considered save in connection with its mineral productions, and usually left out of the reckoning of agricultural possibilities. I refer to the mountainous little State of Nevada, where sheep raising, under fair and favorable conditions, is assuming proportions of marked importance in relation to the wealth and prosperity of the people. Among the letters received by the American Protective Tariff League in response to its cards of inquiry regarding relative sheep values in March, 1896, and in March, 1900, I am permitted to quote the following:

The American Protective Tariff League—Gentlemen: Nevada has seen a wonderful change for the better since 1896, from almost starvation and insolvency to good comfortable homes and fat bank accounts. When the Wilson bill passed everything seemed to stop. It crushed rich and poor alike, and men with large flocks were no better off than the poor sheep herder, as wool was raised at a loss.

Wool sold in San Francisco as low as 6½ cents per pound. Deduct 2½ cents for railroad freight and ¼ cent for commission, and that left the sheep man but 3¾ cents per pound for wool on the ranch. His flock would average about 6½ pounds, and this would amount to 22¾ cents per head.

Now, I sold wool in April, 1900, near Battle Mountain at 15¾ cents. That, with the same average, would make $1.02¾ per head. That is the difference between the Dingley bill and the Wilson bill or free trade. Under the Wilson bill in 1894, 1895, and 1896 I paid herders $25 and $30 per month. In 1894, 1895, and 1896 I sold wethers for $1.25 and $1.50 per head, in 1897 at $3 per head, in 1898 at $3.20, and in 1899 at $3.50 per head.

Farmers have done as well with their cattle—from 2 cents gross in 1894, 1895, and 1896 to 3½ cents in 1897, 1898, and 1899. There are no idle men in the country. Money is plentiful at 6 per cent per annum, against 10 and 12 per cent per annum in 1894, 1895, and 1896.

All the Republicans in Nevada are praying for is four more prosperous years, and the only way is to reelect President McKinley November 6, 1900. In him we recognize a true statesman, a man who knows no North, no South, no East, no West. We have passed through the silver craze, and I hope, and have strong reason to believe, that this fall Nevada will be found in McKinley's column on election day.

W. W. WILLIAMS.

ALPINE, NEV., *May 2, 1900.*

After listening to this testimony from a practical sheep raiser and a reliable witness, can anyone wonder that the sheep owners of Nevada have pushed "16 to 1" into the background, and now regard the protective tariff as the paramount issue in the campaign of 1900?

The same kind of a story is told in the experiences of the sheep raisers of Idaho. As told lately by the senior Senator of that State, the story goes that—

Under the Harrison administration, when wool was protected by the McKinley tariff, Idaho sheep were worth from $2.25 to $2.50 per head. When Cleveland was inaugurated they commenced to go down and down until, when the Wilson tariff bill was passed, they were worth $1.27 per head.

When McKinley was inaugurated in 1897 they at once advanced 45 cents. In 1899 they had advanced to $2.38, and this year, according to the estimates of the Agricultural Department, the average value of every sheep in Idaho on January 1 last was $2.80, as compared with $1.27 at the time McKinley was inaugurated.

In order that you may appreciate the force of this argument, there are over 2,600,000 sheep in the State that have gained more than 200 per cent in value since McKinley was elected, because of Republican tariff legislation. Can you blame the sheep farmers, who mostly voted the Democratic ticket in 1896 because they believed that the free coinage of silver would restore the value of their sheep, for wanting to keep the Republican party in power? Are they going to take any chances? Take the price of wool, for example, which sold at 13 cents a pound under the McKinley tariff law during the Harrison Administration.

While Cleveland was President it dropped to 6 cents a pound, and now, under the Dingley tariff, it is selling for from 18 to 25 cents a pound. Cattle have advanced an average of $10 a head since McKinley was elected, and horses are worth from $5 to $10 per head more than a year ago. Our people are not fools. They know what is good for them, and with these facts bulging out of every man's pocket do you suppose he is going to vote for the restoration of Democratic supremacy and free trade again?

Commenting upon these statements the American Economist of June 1 says:

What Senator SHOUP of Idaho says is true of every one of the so-called silver States. Miners and farmers alike have seen a great light since 1896. They were easily swayed then by Mr. Bryan's demagogic appeals, but it will not be so this year. Then they trailed along behind a theory; now they have facts to guide them.

Truly, it should be so in each and all of the sheep-raising States which in 1896 were cajoled into support of the "16 to 1" candidate in the belief that therein lay their hope for better times. Better times have come to the people of these localities as they have come to the people of every State of the Union, but not by reason of Bryan and free coinage. What wrought better times to the sheep raisers of all the States I shall endeavor to show by facts and figures above and beyond dispute. For these facts and figures, which demonstrate the vast change of conditions in the sheep-raising industry of the United States, I am indebted to the very thorough and reliable census work instituted by the American Protective Tariff League, an organization which has gained a just renown for the energy, thoroughness, and accuracy of the methods which it employs in all matters pertaining to economic facts and statistics.

An interesting story touching the difference in wool values under free trade and protective periods is told concerning a gentleman who at the present time entertains confident expectations of being once more at the head of his party after the Kansas City convention. It is related that when this gentleman was speeding across New Mexico on the Santa Fe road, a great crowd greeted him at a little town along the line. The celebrated orator from Nebraska stepped out on the platform, and after bowing his profuse thanks to the enthusiastic audience, delivered one of those eloquent speeches so justly renowned. The people yelled until they were hoarse, and when they had subsided, the mayor of the town climbed up to the train platform and presented the speaker with a magnificent Navajo blanket. The orator was greatly pleased with the gift and gave the crowd an additional treat of a few more words as the train pulled out.

A little later the great man exhibited his blanket before the eyes of his admiring friends and a few newspaper men who were making the trip with him. As he did so he noticed a slip of paper pinned to the blanket which contained, as he supposed, an allusion to the "Terrible crime of 1873." On the contrary, as the gifted orator read aloud the contents of the little note, this is what met his eye:

MY DEAR MR. BRYAN: Under the Republican administration the wool in this blanket sold for 22 cents per pound. Under the Democratic administration it sold for 6 cents per pound. Please tell this to your constituents.

An impressive silence followed the reading of this note, and it is narrated that when the great man next opened his lips it was to speak of the weather and the scenery.

Let us hope that this famous Navajo blanket will remain in the possession of Nebraska's spellbinder; that it may bring him comfort in the dreary days following next November's election and shield him well in the cold, sad period which is in store for him. Let us hope, moreover, that the blanket may serve as a lasting object lesson that shall teach him the folly of his course in 1894, when he

gave his most cordial support to the free-wool enormity of the Wilson tariff, and more recently, no longer ago than last January, when in a public speech he declared that his views on the subject of free wool had undergone no change.

Beginning in 1888 and continuing practically to the present time, the free trade and mugwump press have taken the position that woolen manufacturers were in favor of free wool. Whenever some individual manufacturer expressed himself in favor of free wool, the Democratic and free-trade press would cry out that all manufacturers were in favor of free wool. I contend that the representative woolen manufacturers of the country have never advocated the destruction of the woolgrowing industry. Even during the consideration of the Wilson bill, the most prominent manufacturers in this country urged that adequate protection should be granted to the woolgrower and to the manufacturer. In support of this contention, I beg to quote from a letter under date of May 29, 1900, from Hon. William L. Strong, ex-mayor of the city of New York, president of the American Protective Tariff League, and one of the most representative woolen manufacturers in this country. He says:

I thank you for your inquiry regarding the position of woolen manufacturers as to the tariff upon wool and woolens. Having been identified with the manufacture of woolens for more than forty years, and being personally acquainted with the representative woolen manufacturers all through the country, I know of their position. Woolen manufacturers, as a rule, have never advocated free trade in wool, but they have believed in adequate protection to both the wool grower and manufacturer. It is true that during and previous to the campaign of 1892 there were a few manufacturers—not broad protectionists—who were willing to see the woolgrower sacrificed and the woolen manufacturer prosperous, but I am glad to say there were only a few such manufacturers. They obtained their wish in the Wilson tariff, and no industry—I speak now of the manufacturers of woolens—suffered so seriously during the hard times of 1893 to 1896 as this very class. I do not know of any organization or body of woolen manufacturers which has ever declared itself in favor of free wool, and to-day I do not know of an individual manufacturer in this country who would advocate this theory. The manufacturers of woolens are in favor of adequate protection to the woolgrower and the woolen manufacturer, recognizing that in this great country there is no reason why we should not grow all the wool that our people will consume and produce all the mutton that our markets may demand, providing adequate protection is continued to the woolgrower.

Inquiry cards were sent out by the American Protective Tariff League early this year to sheep raisers throughout the United States, asking for information on the following points:

Number of sheep owned in March, 1896 (Wilson law, free-wool period).

Number of sheep owned in March, 1900 (Dingley law, protected-wool period).

Average value per head in March, 1896 (Wilson law, free-wool period.)

Average value per head in March, 1900 (Dingley law, protected-wool period).

Up to June 4 a total of 964 replies had been received from sheep raisers in thirty-nine States. Their reports present some startling contrasts between conditions prevailing after two years and eight months of restored protection on domestic wool and the conditions which prevailed three years and four months after the election of a free-trade President of the United States. If anything were now needed to condemn to everlasting obloquy the destructive régime installed by the electoral vote of 1892, these sheep census figures furnish the materials for such condemnation. History records few meaner atrocities than that which was perpetrated upon the sheep and wool industry of the American farmer when the free-trade satraps decreed the free-wool clause of the tariff law of 1894.

I have already given some instances of the fearful blight which fell upon American sheep and wool in consequence of the change from the wise protection granted by the McKinley tariff to the free trade of the Wilson tariff. How ruthlessly the sheep and wool industry was slaughtered as a result of "The crime of 1894" is already a matter of history. My task now is to show the obverse side of the picture, to show how splendidly that deserving industry, involving as it does the welfare of so many thousands of American farmers, has been regenerated and restored through the enactment of the protective tariff of 1897.

Suppose we begin with a section of the country where for a time the belief was strong that if you would see prosperity you must look through silver spectacles. Take Montana, for example, which in April, 1899, had 3,218,802 sheep. Seventy-two reports from Montana show that in March, 1896, the persons reporting owned 304,374 sheep, with an average market value of $2.12 per head; whereas in March, 1900, these same persons had increased their flocks to 525,434, and the average value per head had grown to $4.15, or only 9 cents less than double the value in 1896. For 1900 Montana will show flocks numbering fully 5,000,000, and protection will be worth to the sheep raisers more than $10,000,000 as compared with free trade, to say nothing of an increase of more than $2,000,000 in the value of each year's wool clip. Silver spectacles did not enable the farmers of Montana to see this immense gain in their wealth.

Fifteen Utah farmers state that in 1896 their flocks numbered 58,070, valued at $1.81 per head, and that four years later this number had increased to 72,600, and the value per head was now $3.89. With a present total of more than 3,000,000 it ought not to be very difficult to convince Utah sheep raisers that the country made a good choice when it rejected free silver and free wool for protection and a 100-cent dollar.

In Colorado, according to the reports from 33 owners, the flocks have increased from 154,039 in 1896 to 185,524 in March, 1900, and the average value per head has been increased from $2.03 to $3.94. It would take the combined profits of a good many silver mines under a "16 to 1" ratio to equal the gain which Colorado has realized on her sheep and her wool.

Idaho's showing is still more impressive. Forty of her sheep farmers report 156,358 head in March, 1896, and 275,161 in March, 1900; and they state that the value per head has advanced from $1.76 to $4.10. This year will see more than 3,000,000 sheep and a clip of about 20,000,000 pounds of wool in Idaho. Can Mr. Bryan and his free-wool propaganda offer Idaho anything equal to what protection has done for sheep and their fleeces?

Now let us turn our steps toward the banner State of bourbonism and free trade, a State which a year ago had 2,383,650 sheep and sheared about 15,500,000 pounds of wool, but which will this year show over 3,000,000 sheep and over 18,000,000 pounds of wool. From Texas we have 60 reports, and they tell us that in March, 1896, under the Administration to which Texas gave such a tremendous majority, these owners had 100,953 sheep, worth to them $1.45 each; and that in March, 1900, under an Administration whose success at the polls Texas did so much to prevent, these same 60 owners had 124,125 sheep, and their average market value was $2.75 per head. Would you think that Texas farmers would next November sit up all night and stand in line waiting for a chance to put in a ballot for Bryan and free wool? There are sheep owners enough in Texas, not to turn the scale from Democracy to Republicanism, for that is too much to hope for just now, but enough to at least cut down the big majority of 1896, and show that Texas has some appreciation of what has been done for her by McKinley protection and prosperity.

How was it in Nebraska, the home of him who is at once the hope and despair of his party? From that State 28 reports have thus far been received. They show that under the provisions of the law of 1894, which the Boy Orator of the Platte helped to pass, the parties reporting owned 23,568 sheep, worth $1.69 per head, while in March, 1900, these same parties owned 75,730 sheep, marketable in cash at an average of $4.77 per head. Nebraska, remembering who it was that said, "I was for free wool in 1894, when I voted for the Wilson free-wool tariff, and I am for free wool now, in 1900"—remembering this, I say, will the sheep raisers of Nebraska feel like paying the fearful price involved in furthering the Presidential ambitions of their favorite son?

And so the figures go throughout this splendid sheep census of the American Protective Tariff League, from which I am quoting. They tell of an increase in Ohio of 50 per cent in the numbers and of more than 200 per cent in the values of sheep since free wool went out and protection came in. North Dakota shows very much the same state of things; so do Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Pennsylvania, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. There is not a State in the Union which has not shared in this wonderful blessing vouchsafed through protection to its wool and sheep industry. Read the figures for yourselves. Read them carefully, for they will interest and inform you concerning a matter of high importance to one industry in particular and to the whole people as well.

A glance at the recapitulation of the sheep census, and I have done. The 964 reports received show the following facts:

Reports received	964
Sheep owned in March, 1896 (Wilson law, free-wool period)	1,458,804
Sheep owned in March, 1900 (Dingley law, protection period)	2,501,215
Increase, 1900	1,042,411
Percentage of increase	71.44
Average value per head March, 1896 (Wilson law, free-wool period)	$1.76
Average value per head March, 1900 (Dingley law, protection period)	$3.90
Increase of value per head for 1900	$2.14
Percentage of gain in value per head for 1900	121.59

At this rate of increase in flocks—and the rate will go higher hereafter, for it must be remembered that the lambs of 1897 had only just begun to reproduce in 1900—nevertheless, allowing for no greater increase than that herein shown, how long will it be before American sheep will yield every pound of wool required by American woolen manufacturers to supply American consumers? Not more than ten years, according to the most conservative estimate, will elapse before America ceases to offer a market for a single pound of foreign wool. Ten years of protection for domestic wool will bring about this result.

It is only fair to say that the extraordinary increase of prosperity which has come to pass since the country repudiated free trade and cheap dollars has in some measure acted as a bar to the more rapid increase of American flocks of sheep. Having more money to spend, our people have eaten sheep at an unprecedented rate in the past two years. For this reason the consumption of lambs has increased enormously. Lamb is a gastronomic luxury, and so great has been the demand and so high the price in the early months of this year

that sheep raisers have yielded to the temptation and sent to market vast numbers of lambs which should have been kept at home for breeding purposes. Only a few days ago I was told of a sheep owner in one of the Western States who sold to a Chicago packing company 40,000 lambs of this year's produce. "Why did you do it?" he was asked; "how could you afford to so curtail your increase?" "Because the offer of $7 per head in spot cash was too tempting to resist," was the reply.

Four years ago, with tariff reform in the saddle, mutton sheep sold in Omaha and Kansas City at $2 to $3.50 per head, and lambs sold at $3.50 to $4.30 per head. In March of this year, with McKinley and protection, sheep for mutton sold in Omaha and Kansas City at $3.50 to $6.25 and lambs at $5 to $7.10 per head.

The detailed figures of the sheep census of the American Protective Tariff League, ending with June 4, 1900, are as follows:

State or Territory.	Number of reports.	Number of sheep owned in—		Average value per head—	
		March, 1896.	March, 1900.	March, 1896.	March, 1900.
Arizona	9	54,500	70,500	$1.65	$3.44
Arkansas	10	3,089	4,130	1.12	2.02
California	30	43,570	69,707	1.50	3.32
Colorado	33	154,039	185,524	2.03	3.94
Idaho	40	156,358	275,161	1.76	4.10
Illinois	9	365	1,563	1.90	5.11
Indiana	36	1,123	3,624	1.81	4.74
Indian Territory	5	8,340	14,973	1.20	2.15
Iowa	7	2,261	5,845	1.72	5.07
Kansas	18	7,975	11,009	1.94	4.08
Kentucky	103	2,179	4,168	1.32	3.06
Louisiana	1	10	10	2.00	2.75
Maryland	6	303	608	2.14	5.08
Michigan	9	471	568	1.57	5.29
Minnesota	5	70	652	1.86	4.85
Mississippi	2	1,568	2,160	1.98	2.48
Missouri	86	5,099	8,717	1.55	3.69
Montana	72	304,374	525,434	2.12	4.15
Nebraska	28	23,568	75,730	1.69	4.77
Nevada	7	90,584	156,724	1.89	3.50
New Mexico	30	92,970	160,228	1.24	3.20
New York	3	1,105	1,656	2.11	5.67
North Carolina	26	620	610	1.48	2.07
North Dakota	19	19,272	31,326	1.91	4.44
Ohio	26	6,804	9,657	1.68	4.89
Oklahoma	7	3,945	8,050	1.26	3.07
Oregon	91	113,980	170,219	1.59	3.87
Pennsylvania	2	55	80	2.25	5.50
South Carolina	2	165	231	1.60	2.47
South Dakota	28	13,986	47,044	2.04	5.00
Tennessee	2	108,108	405	1.66	2.80
Texas	60	100,953	124,125	1.45	2.75
Utah	15	58,070	72,600	1.81	3.89
Vermont	2	460	420	2.50	4.50
Virginia	2	45	135	1.82	2.38
Washington	23	56,708	98,753	2.15	4.38
West Virginia	72	4,399	8,349	1.59	3.71
Wisconsin	2	210	408	1.66	3.50
Wyoming	36	125,103	350,112	2.04	4.62
Total	964	1,458,804	2,501,215 1,458,804	68.59	150.28
Gain for March, 1900			1,042,411		
Percentage of gain			71.44		
Average for March, 1900					3.90
Average for March, 1896					1.76
Gain for March, 1900					2.14
Percentage of gain					121.59

CAUSE AND EFFECT.

Mr. Speaker, perhaps no industry has been more discussed in connection with the consideration of the tariff than that of wool growing and sheep raising. It is unquestionably true that no industry better illustrates the benefits of protection and the injurious effects of free trade. The farmers throughout the country know whether they can better their condition by raising sheep either for mutton or wool. The official reports of the United States Government upon the subject of sheep raising and sheep values, which I will present, teach a wonderful lesson.

From 1878 to 1882, inclusive, the Morrill tariff (protection) was in force, and the number of sheep throughout the country increased by over 11,000,000 during this period.

The tariff of 1883 was in force from 1883 to 1889, inclusive. The duties imposed by this tariff upon raw wool amounted to no more than a revenue tariff on yarns and some other goods produced from wool; consequently the result of this tariff as a whole was not protective. Under its operation the number of sheep throughout the United States decreased by about 6,000,000.

The McKinley tariff, passed in 1890, was a scientific tariff as applied to wool growing, with the result that the number of sheep throughout the country increased by nearly 4,000,000 before the free-trade election of 1892.

The Wilson tariff, with free trade in wool, practically went into effect when Mr. Cleveland was elected, and immediately the flocks throughout the country began to decrease, and from 1893 to 1896 decreased by about 9,000,000.

The Dingley tariff reimposed the scientific schedules of the McKinley tariff, and with the promise of protection through the election of William McKinley and a Republican Congress the sheep-raising industry immediately began to prosper. From 1896 to and including 1900 the number of sheep increased by 1,042,411.

The effect of protection and free trade in regard to the number of sheep owned throughout the country is not more impressive than the effect as to value. Under the Morrill tariff the lowest price per head was $2.09 and the highest $2.55. Under the tariff of 1883 the lowest price per head was $1.91 and the highest price was $2.27. Under the McKinley tariff the lowest price was $2.49 and the highest price $2.66. Under free trade the lowest price was $1.58 and the highest price $1.92. Under the Dingley tariff the lowest price was $2.75 per head, and now the value has advanced to $3.90 per head, the highest average price in the history of the nation.

Report of the United States Government on sheep raising from 1878 to 1898, inclusive, and report for 1900, based upon the sheep-raising census of the American Protective Tariff League.

Year.	Number of sheep.	Average price per head.	Total value.
The Morrill tariff:			
1878	38,123,800	$2.09	$79,023,984
1879	40,765,900	2.21	90,230,537
1880	43,576,899	2.39	104,070,759
1881	45,016,224	2.37	106,594,954
1882	49,237,291	2.52	124,365,835
The tariff of 1883:			
1883	50,626,626	1.37	119,902,706
1884	50,360,243	2.14	107,960,650
1885	48,322,331	1.91	92,443,867
1886	44,759,314	2.01	89,872,839
1887	43,544,755	2.05	89,279,926
1888	42,599,079	2.13	90,640,369
1889	44,336,072	2.27	100,659,761
The McKinley tariff:			
1890	43,431,136	2.49	108,397,447
1891	44,938,365	2.58	116,121,290
1892	47,273,553	2.66	125,909,264
The Wilson tariff, free trade in wool:			
1893	45,048,017	1.98	89,186,110
1894	42,294,064	1.58	66,685,767
1895	38,298,783	1.70	65,167,735
1896	36,818,643	1.82	67,020,942
The Dingley tariff:			
1897	37,656,960	2.46	92,721,133
1898	39,114,453	2.75	107,697,530
1899 *a*			
1900	63,121,881	3.90	246,175,335

a United States Government report for 1899 not yet published.

In 1896 we had arrived at the lowest stage of the wool-growing industry since the rebellion, and possessed 36,818,643 sheep, which, under the fostering care of protection, were increased to 63,121,881.

The value of our sheep in 1896 was $67,020,942, and under the fostering care of protection has reached the enormous value of $246,175,335. In the history of industrial and economic conditions of the world no more wonderful result can be shown.

And yet, Mr. Speaker, the candidate already nominated by the Populists, and soon to be nominated by the Democrats, voted in 1894 for the Wilson tariff law with its free-wool clause, and to-day stands where he stood then, in favor of free wool. Is not this reason enough for bringing to notice at this time the facts and figures relating to "American tariffs and American sheep?" If ever time was when these eloquent statistics should be made known to the people of the United States, this is the time.

In conclusion, Mr. Speaker, Mr. Bryan inherited from Mr. Cleveland a deadly hostility to the tariff on wool. He seems to have cherished the idea that the woolgrowers of the country are his enemies, and I guess by this time he has reached about the right conclusion. Wherever he has gone he has assailed the wool industry. He voted for the Wilson bill; he did what he could to disparage and dishonor the production of wool in the United States; he aided to bring about free wool and broke up the industry, and with the consummation of his efforts came ruin and disaster. The estimate put upon the value of sheep in the country that we find in the books is erroneous. These same Ohio sheep producing the fine Ohio XX wool could not have been sold under the hammer in 1895 and 1896 for 75 cents a head, and to-day they are worth $3 and $4 a head.

So I protest that, if for no other reason than the results that have come from Republican legislation upon the wool question, the party is entitled to the indorsement of the American people.

Mr. TERRY. I yield to the gentleman from Ohio [Mr. LENTZ] for ten minutes. [Applause.]

[Mr. LENTZ addressed the House. See Appendix.]

Mr. TERRY. I yield to the gentleman from New York [Mr. CLAYTON] five minutes.

Mr. CLAYTON of New York. Mr. Speaker, judging from the remarks that have been made here to-day, the desire to enact legislation to remedy the evils of the trusts must be very general; but during my short experience here in the House I have learned that sometimes when there is the most earnestness in discussion there is the least intention of taking any action on the subject. That there are now existing evils due to the large combinations of capital which have been formed in the country in recent years seems to be generally admitted.

Now, these evils, it seems to me, are chiefly of two kinds. The first, and perhaps the greatest evil, is that of stifling competition. When all or a great part of the capital that is engaged in any particular business comes under the control of one man or one set of men, it is used to regulate prices so as to crowd out the small dealers and make it impossible for any independent man to carry on such a business. The old idea about "competition being the life of trade" becomes stifled, and the people are soon at the mercy of the combination that controls prices.

The second evil to which I desire to call attention is one which I have not heard much about, but which, I think, is almost as serious as the first. This is the secret manipulation of stocks which is carried on under our present laws, and which allows a corporation to water their stocks and to raise and lower the price at the expense of the small investors.

Mr. Speaker, recognizing that these evils do exist as a result of these combinations, it is necessary then for us, the legislators of the country, to enact some measure which will mitigate those evils, and I believe, sir, that the proper way to do that is for the National Congress to pass acts which will regulate all business transactions that pertain to the country as a whole, or trade between the States, or between this country and some other, and to leave to the States those matters which are entirely local.

But even believing, as I do, in preserving our right of local self-government in matters which do not affect other parts of the country, I might come to the belief that it was a good thing to vote for this amendment if it were proposed here as a practical and a possible measure. But I do not believe, sir, that we should vote here in favor of a constitutional amendment when we know not only that there is no possibility of that amendment being made a part of the Constitution, or even passing both Houses of Congress at the present session, but also that it is not even proposed here seriously and in good faith.

It is merely introduced here for political effect, and without any prospect or desire for its enactment. I say this freely, Mr. Speaker, because I have found occasion during my short service in the House to vote for several measures proposed by the Republican party, and I stand ready now to vote for any measure, wherever it may come from, if I believe it is demanded by the best interests of the whole country, and is proposed in good faith, and is a practical measure.

But I would not advocate or assist in passing any law that would injure legitimate business or prevent combinations, whether of men or of capital, for honest and proper purposes. We must protect capital when used to develop our resources, to establish and carry on our manufacturing establishments, our railroads, our various industrial enterprises, and our commercial business. It is only necessary that laws should be passed to prevent the abuse of the power that comes from the combinations of large interests and to remedy those evils that now exist.

That much can be accomplished by the proper amendment of the interstate-commerce law is admitted. That this proposed amendment is offered here as a convenient way of shelving the whole question is well known. I am therefore in favor of voting down this proposition to amend the Constitution and proceeding at once to enact such amendments to the interstate-commerce law as will make that law effective. [Applause.]

I call attention to the following practical suggestions of Hon. Bird S. Coler, the very able and successful comptroller of New York City, the head of a finance department second only to the United States Treasury Department:

MR. COLER ON TRUSTS.

Whatever the State creates it should either supervise or control. "Government was created for the protection of all and not that the representatives of the people should barter away the public rights and utilities in perpetuity. Every corporation should have a definite period of existence and the right of renewal should rest with the State and not with those in interest. Business that requires secrecy of management and manipulation of securities is not entitled to the protection of the State and should be refused corporate powers.

No corporation should be allowed to issue securities except for actual value, and these should not be placed upon the public market until the end at least of one actual business year, and then only after public reports by certified accountants under employment of the State and bearing its seal. This to check stock jobbing and to foster legitimate business and investment, and also to provide definite information upon which to base assessment and taxation.

The commercialism in politics and the corruption of legislatures by these concerns that threaten the existence of free government will receive a most serious blow through this system. The disbursement of stock and money for so-called legal expenses can be readily shown. Publicity of disbursements for such purposes is the surest remedy.

Places of business and location of factories should be named at time of incorporation, and no removal of same should be allowed without consent of the State. This to prevent the destruction of communities, and for the protection of employees who have invested their savings in homes contingent to factories, and in many cases upon the recommendation of employers.

Popular clamor and political agitation against a recognized evil that stops short of effective and intelligent action is as senseless as it is useless. The adoption of a sound political platform does not make good government, and general denunciation, no matter how well founded, will never destroy a trust or reform a public abuse.

The existence of a corporation is prima facie evidence of the grant of special powers and privileges that are not enjoyed by the people as individuals. Companies are formed and charters obtained in order that a combination may do something that can not be done by one citizen working alone.

The same power that creates that privilege by the grant of a charter to a number of persons to do business with advantage over the individual is in duty bound to protect the rights of those who have not received similar favors, that all may enjoy the equal rights guaranteed by the Constitution of the nation and the organic laws of the States.

INSPECTION OF CORPORATION ACCOUNTS ADVOCATED.

From its beginning the accounts of every corporation obtaining a charter privilege from a State government should be open at all times to examination and regulation by properly appointed public officers. One of the most intelligent and plausible defenders of trusts recently said that such concerns were of great advantage to the people because they divided up their capital into small shares in which the poor could invest their savings.

Assuming that such might be the fact, the argument advanced at once becomes an imperative reason why such corporations should be subject to Government inspection and regulation. If they receive charters conferring exceptional privileges, such grants become a part of their assets or capital and give them a financial and commercial standing in the business world, amounting to an advantage over each and every individual competitor. In addition, the charter conveys to them a semipublic or government indorsement, that may materially affect the market value of their stock or bonds.

They have obtained a privilege that enables them to bid for the surplus capital of the public by the offer of interest-bearing securities. The Government, having made it possible for a few citizens to obtain the capital of the many for investment, should exert all its power to protect that capital and confine the use of it to legitimate business and the employment of labor.

It may be urged that such a system would extend the functions of State government to the regulation of private business. If that be so, no business that requires secret manipulation should receive the privileges of a charter from the people. The United States Government charters national banks, reserving the right to inspect the methods and examine into the condition of such institutions at any time.

This system has never been classed as usurpation of extraordinary functions of government, nor has it retarded the proper and safe development of the banking business. The State of New York has for many years exercised, without question, the right to license and examine the business of life, fire, and marine insurance. Depositors rely upon the State wholly for protection of savings banks.

Every chartered corporation that offers its securities to the people as an investment becomes a semipublic institution, and should be inspected and regulated by the same power that created it. Such control would not in any way oppress or retard legitimate business. Chartered companies should be compelled to confine their investments and development to the legal and proper conduct of the business for which they were created and for the prosecution of which they have received from the government special privileges and powers.

Under existing conditions there is no safety and little protection for outside investors who buy the securities of great corporations. They must trust largely to the reputation of a company or that of its officers, and recent events in Wall street show how confidence is often misplaced and abused.

PRESENT LAWS PUT A PREMIUM ON STOCKJOBBING.

Our present system of laws puts a premium upon stockjobbing. Recent developments in trust stocks put emphatic emphasis on this danger, so long pointed out by political economists. We have had many instances of late where officials of trusts, holding only a small interest, have run the business of their concerns in the interest of stock speculation instead of legitimate development. Mills have been shut down and men thrown out of work simply to affect prices on the exchange.

The encroachments of these great combinations on constitutional rights, their disregard of the plainest dictates of commercial honor, and their ruthless violation of the vested rights of labor in their grasping for monopolistic advantage make it imperative that measures shall be inaugurated to correct the evil.

Corporations seeking legitimate business ends by honest methods and observing the time-honored principles that insure success in private enterprises invariably possess public confidence and are entitled to the protection of the State from which they derive their corporate power. Corporations of this class will gladly welcome legislation that will further safeguard and protect them in the enjoyment of their rights. They do not shun publicity; they court it.

On the other hand, these irresponsible cliques of individuals, for selfish ends and by doubtful methods, have secretly grasped chartered rights, and, by juggling manipulation of stocks and bonds in their merciless pursuit of gain, brought commercial ruin to thousands. The aggregation of their combined interests threaten the existence of free government. They dread more than anything the light of day, knowing publicity would be their downfall. They pursue their designs secretly. The vast fortunes thus acquired are largely—in fact, almost entirely—due to their corrupt control of legislatures. The sworn representatives of the people themselves, in State and municipal bodies, have venally yielded to them, one by one, the people's rights.

The power thus obtained has been used solely to augment the fortunes of a few insiders and their political allies. It is not the enormous size of these fortunes, but the fact that they were dishonorably obtained, that has proved a demoralizing example to our youth and a menace to our institutions.

STATE CONTROL AS A REMEDY.

Any combination that has sought and secured by incorporation the advantage of charter rights and is organized for legitimate purposes has nothing to fear from quasi State control. On the other hand, they know it insures stability and public confidence. It seems monstrous that any corporation or combination of corporations should deny this inherent right of the power that created them or try to evade wholesome regulation. A disintegration of such blind pools should be speedily enforced. The sovereign States of the Union, each for itself and each for all, recognizing the gravity of the evil that threatens all alike, and honestly seeking a remedy, will solve this difficulty.

Uniform laws compelling publicity of important matters of management, frequent examinations by State officials prescribing honest systems of keeping accounts, and such other restrictions as exigencies may require for the good of all, including the protection of such communities as have been built up by the establishment of business concerns and the forbidding of their abandonment without the consent of the State authorities and for adequate

reasons shown, should be immediately enacted throughout the Union. Such action will go far, if it does not absolutely destroy, the power of such combination to work further injury. It will simplify taxation and nullify attempts at its evasion.

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The sovereign State has the power to grant charter privileges for purposes that are in consonance with the general welfare and not in violation of the constitutional rights of the individual. The power of regulation is implied in the act of creation.

The abuse of the privileges derived from the people by these favored combines merits severe punishment, and necessary legislation for such purpose is clearly within the scope of the legislative power of the State. The opinion that Congress is powerless to remedy this evil without constitutional change is generally conceded, but the right of the sovereign State in the premises is unquestioned.

The different sections of our country having varying industries, such as cotton and its products in the South, know best how to control them. The nominal attempt to turn over this power to the Federal Government by the Republican party is an evasion, because they know that the power of creating, regulating, and, where public interest demands it, of destroying these corporate creatures is a State right that will never be yielded to the General Government with the consent of the Democratic party, which from Jefferson to Tilden has steadily opposed such centralizing tendencies.

Mr. SALMON. Mr. Speaker, in the time allowed me I can not discuss this amendment, but I want to say that I fully appreciate the high ground and pure statesmanship of my worthy colleagues on this side of the House, but that I differ with them as to what should be our action upon this question. We all know the purpose of the majority in submitting to this House a constitutional amendment so obnoxious as this, and I say we should disappoint them by voting for it en masse. I would fill them to the throat with their buncombe cant.

Why did not the majority of the committee consult with the minority in the preparation of this amendment? Why do they offer to this House an amendment whose very first section contains a theory against which every Democrat in this House, as well as some Republicans, has declared himself during the present session? Why did they place in the second section a clause abridging the powers of the States, knowing that Democrats are strong adherents to State rights? Why did they delay in bringing the matter up for consideration until this late day? Why has the majority passed an arbitrary, despotic, tyrannical, imperialistic rule preventing the offering of an amendment to this article or a substitute therefor? These are some of the hard questions the majority party of this House will have to answer to the people.

I want to say to the proponents of this measure that the common people are not such fools as you assume them to be. They are long-suffering and confiding, but they are feeling the shock of concentrated power and limited opportunities, and the brighter light is breaking upon them; and I believe before next November their eyes and their reason will be opened, as were those of Saul of Tarsus, after his experience on his way to Damascus, and they will see and distinguish the true from the false, the real from the pretended.

Mr. TERRY. I hope the gentleman will use some of his time. One of the gentlemen who is to speak on this side is absent.

Mr. RAY of New York. Mr. Speaker, on yesterday and at the evening session I took the floor in my own right, and after making a few remarks I sent to the Clerk's desk and had read from the desk a clipping from the Evening Star, published in this city. It was then delivered to the Reporters of this House, and went to their room, as I have learned. Another gentleman on the Democratic side, whose name I will not give at this time, followed with remarks in his own time, and referred to the subject-matter of that newspaper clipping. This morning my remarks made at the time did not appear in the RECORD; neither did the article or clipping appear in the RECORD. They were absent from the RECORD. On application to the Reporters of this House I learned the gentleman referred to had possession of that article and those remarks.

I have requested that gentleman personally, and several times through the employees of this House, to return that article and those remarks, which are a part of the records of this House, and contain *nothing* said by him or with which he has anything to do, excepting as he referred to my remarks and the statements of the clipping immediately after. I do not rise to a question of personal privilege now. I do not mention the gentleman's name; but I give fair notice that unless that article or clipping, with those remarks of mine, a part of the records of this House, and which were taken in that manner and retained in that manner, are returned to the proper depository, that I shall rise not to a question of privilege only, but shall ask this House, if there be such a thing as discipline for acts of that character, to exercise its power.

I now state that I reserve all the balance of the time upon our side for the gentleman from Maine [Mr. LITTLEFIELD], who will close the debate, and I understand that the gentleman from Arkansas will make the same reservation for the gentleman from Missouri [Mr. DE ARMOND], who is to close debate on their side.

Mr. TERRY. I yield five minutes to the gentleman from Tennessee [Mr. PIERCE].

Mr. PIERCE of Tennessee. Mr. Speaker, in the time allotted to me I can have little to say. I think I can not put the time to better use than by reading a published interview from the distinguished gentleman from Ohio, Gen. CHARLES H. GROSVENOR, and signed by him in regard to trusts. He told us that this legislation which is here brought in is a Republican measure and that it is necessary. Now, here is what he said, and it is signed by him and was published some time ago:

A REPUBLICAN VIEW.

[By CHARLES H. GROSVENOR.]

The Fifty-sixth Congress comes together under peculiar circumstances. The Republican majority is commissioned by the voice of the people to do certain things in any event, and to do certain other things if found to be wise and judicious.

As to the things which the Republican majority has been commissioned to do:

First, and most conspicuous of all, it has been delegated to revise the statutory financial condition of the country; that is to say, it has been decided by the people of the country, in the election of McKinley and the upholding of the platform at St. Louis, that the unwritten law of the Treasury, which for twenty years has paid gold upon every obligation of the Government, shall be now ordered by statute to continue that process. This is simply to enact into law the declaration of the Republican platform, which ordained the existing gold standard.

When Congress shall have approved of this measure, either in the form it comes to the Senate or in such form as may afterwards be agreed upon, there will be no free and unlimited coinage of silver in this country for the next eight years in any event, because the Senate is absolutely sure to be against it during that period of time.

While the Dingley bill has produced a great and gratifying return of revenue to the Treasury, there is yet, nevertheless, a demand that must be heeded, that there shall be economy in the public expenditures, needless expenditures must not be made, and many needful things must be postponed to a later and future day.

As to trusts and combinations: It is my judgment, and I so said to a reporter of this paper some days ago, that the Sherman law of 1890, which was a Republican measure and which has now been put into full force and effectiveness by the Republican Administration, gives all the remedy needful in the control and overthrow of illegal trusts and harmful trusts, which can be made by the action of Congress.

This legislation, thus upheld by the Supreme Court, covers the whole ground of Congressional action, and all other laws should be enacted by the legislatures of the several States. I repeat what I said before: I am opposed to any interference by Congressional action with the right of the States to organize, create, control, limit, and regulate their own corporations in their own way, and for Congress to impair it by limitation upon the operation of State corporations other than that which was enacted in the interstate-commerce law would be such a violation of the right of States that it is not to be thought of for a moment.

Our insular possessions: They will, of course, receive the attention of Congress, and the action which will come of Congress will be along the lines of—first, as to Cuba—the establishment of her independence so soon as she manifests capability for self-government, and along the lines of what is best for the people of Porto Rico and the Philippines, coupled with a constant eye as to what is most profitable, most wise and patriotic in the eyes of the American people and for their interest.

That is a legal exposition of this question by the distinguished gentleman from Ohio [Mr. GROSVENOR].

Mr. BARTLETT. But even Presidents can change their minds. [Laughter on the Democratic side.]

Mr. PIERCE of Tennessee. In accordance with what has been the history of the Republican party in this Congress upon every public question that has been presented, your leaders have taken position and you have then repudiated it, as we find the distinguished gentleman from Ohio has done upon the proposition which has been brought in here by the Judiciary Committee. He said we had no use for it, and that Congress already had the power, and that this Administration had the necessary authority to suppress trusts under the Sherman law, as expressed in the decisions of the Supreme Court and which this Administration proposed to enforce and carry out.

Now, what position are you placed in? I want this to go to the country. Who better can speak for that side of the House than the mouthpiece of the Administration, the distinguished gentleman from Ohio? [Laughter on the Democratic side.]

And in this connection I desire to allude briefly to another letter of his in the public press, one which we all remember and I have no doubt every member on this floor will recall, when the newspaper controversy arose in reference to the fact that Mr. Quay had been refused a seat in the Senate. Interviewers stated that Senator HANNA and Mr. GROSVENOR shook hands in Ohio during the State convention, and congratulated each other upon the fact that Mr. Quay had been refused a seat in the United States Senate. General GROSVENOR denied it. He said it was untrue. He said that what carried him to see the distinguished chairman of the Republican national committee was that he had heard that the Senator from Ohio had said some kind things about him, and that he had gone to the distinguished Senator to thank him for it. That at the time they were not talking about Quay, but when he approached him he took the Senator by the hand, and that his emotions overcame him and that he turned his head away and could not speak. [Laughter.] My God! Think about the mouthpiece of the Republican party having reached the point that it would not go off. [Laughter on the Democratic side.]

Now, then, just think about it. What an enormous calamity was about to fall on the Republican party. Think of General GROSVENOR when he shook hands with HANNA being too full for utterance! [Renewed laughter.] He could not speak. That is what he says over his own signature.

Now, I want to warn that side of the House of the danger they

are in. Do not you let Senator HANNA say another kind word about General GROSVENOR. If you do, you are in danger of having the mathematical lightning machine of the Republican party stop working and close for the rest of the campaign as the mouthpiece of the Administration. [Laughter on the Democratic side.] What a calamity would befall the country if such a thing were to happen! [Applause on the Democratic side.]

Mr. TERRY. I now yield the balance of the time to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, how much time is there remaining?

The SPEAKER pro tempore. One hour and thirty-eight minutes.

Mr. DE ARMOND. Mr. Speaker, I suppose, speaking in a general way, that there are two points from which this proposed constitutional amendment might be viewed—one looking to the trust question and the other to the approaching Presidential election. Our Republican brethren have determined for themselves and by themselves from which point of view they will observe it. It is evident from what they have been doing here in the course of this debate, evident from what they did and what they did not do in this session up to this hour, that their sole object and aim in and by this amendment is to make some political capital if they may. I shall not take them to task for this. I shall concede that from appearances they have need of all the political capital they can accumulate for the election next November.

When this Congress met, the Republican party proceeded very promptly to do what its leaders called "redeeming their pledges on the financial question." A financial bill, carefully prepared to suit the wishes and serve the ends of the special classes to be beneficially affected by it, was put through this House and the Senate in the early days of the session. The Republican party desired (and accomplished its desire) to place that bill upon the statute book. Late in the session, after months had flown, when adjournment day had approached and was almost here, the same party exploits itself upon the trust question.

These two facts of the record, placed side by side, speak for themselves, and, if there were nothing else, make it clear enough, I think, to the average unbiased observer and student of current events that the Republican party took the course which was natural in order to put upon the statute book the measure which it desired to put there—the financial bill—and has taken also the course natural to leave off the statute book its pretended trust legislation, and to keep out of the Constitution its pretended constitutional remedy for trusts.

The gentleman from Ohio [Mr. GROSVENOR] in speaking upon the gag rule under which we are operating now, said with a frankness not entirely common to him, that his party submitted its own plan for amending the Constitution, that this amendment is a Republican amendment, that they did not intend to permit the least interference with it. He says that he thinks there are good reasons for what he admits and proclaims as an extraordinary course with reference to such matters—the denial of all right or opportunity to amend—the denial of the usual right, very seldom denied, to submit a motion to recommit—that the party has taken its course and has determined what it will do, that not an "i" shall be dotted and not a "t" crossed in that amendment; that we can vote for it or vote against it, but that amendment and that amendment alone shall be the matter for consideration and the matter to be voted upon in this House.

That frank statement, accidentally or otherwise, truthfully portrays what the Republican party has done thus far with reference to this subject. It is entirely in harmony with the genesis of the amendment itself. I betray no confidence, I think, and make no improper disclosure, I believe, when I say that this amendment was fashioned by Republicans for Republicans, is exploited by the party in its own interest to serve its own interest. The minority of the committee which reported it had no option in committee but to vote for it or to vote against it, and that option is now extended to the members of the House.

The question then arises—indeed, that is the question at present before the House for discussion—what is the proper thing to do in the condition which these gentlemen have purposely made for their own advantage, made for political profit, made with reference to gaining in the Presidential campaign, made with a view to deluding the people as to their real purposes, and to push to one side, if they may, the trust question, now so great and prominent in the public mind? For me, the course is plain and easy. I find no difficulty in declaring now, and declaring by my vote later on, that I am opposed to this amendment and opposed to the mockery, opposed to the false pretense, of submitting it, or going through the form of trying to submit it, to the American people.

This is not a case where to gratify some sentiment of a few sentimental people or to please some folks with whims, this or that proposition may be submitted to popular vote, with only a fraction of the community caring anything about the subject, and with no danger that the people will be befogged concerning it, or that the public will suffer by the submission. The question before us now upon this side of the Chamber is whether we shall deal seriously and honestly, according to our judgment, with a grave impending problem, or whether we shall emulate our Republican brethren in trying to play a game of deceit, playing with precisely the same cards and throwing them precisely in the way that they have appointed. That is the plain business proposition before us to day.

I will not take time to dilate upon the evils, manifold and ever increasing, of the trust. There are but few here to defend it in words; and the people, I think, understand, not merely by wordy descriptions of it, but by experiences in their daily lives, what the trust in fact is; how it is growing; how it is entering new fields; how it is sweeping aside the individual man; how it is crushing individual enterprise; how it is destroying independence; how it is turning the individual operator, the self-respecting American citizen, hiring himself and doing his own business, into the employee, the small cog in a mighty wheel turned by the trust.

Shall we deal frankly with our constituents and with the great American public on this question, or shall we deal otherwise? For one, whatever others may do, however timidity may influence some or ideas of policy may sway others, I shall take what seems to me to be the course at once politic and right. I believe that when the appeal is made to the great intelligent American public the course which is right is the course also which is politic.

If this amendment is not good, if it ought not to be put into the Constitution, what reason is there, what excuse can there be, for going through the mockery of submitting it to the American people as though it were worth something? Suppose the amendment were submitted. Have gentlemen considered what their attitude respecting it would be before the people in the next campaign?

Would you go before the people of your district, the people of your State, the people of this great American nation, and advocate the putting of this amendment into the Constitution? If you would, if you believe it ought to go there, then I understand how, conscientiously and with regard to the highest politics, which rests upon intelligence and conscientiousness, you can support the amendment and favor the submission of it to the people. If, upon the contrary, were the amendment submitted, you would advise your fellow-citizens to reject it, would say to them that it was intended to trap them, that it was and is a delusion and a snare, carefully planned and carefully laid, what reason will you give them for a vote to submit such a proposition to them?

The people are not fanciful in these matters. The people are not dreaming of the trust and speculating concerning it as some interesting thing. It is not a mere farce; it is not a thing to amuse them; it is not a thing for the idle speculation of an idle hour. It is a vital thing—something that goes into their homes, breaks into their business, dominates their lives. It is the shadow over them that obscures the brightness of the sun, destroys the twilight, and brings on the depth and blackness of the night before its time, and prolongs it after the dawn should come. It is a real thing. Who denies it?

The gentleman from Illinois [Mr. REEVES] said this morning that these great moneyed organizations are bad only when they amount to combinations and monopolies. That is what we are talking about; those things that constitute monopolies we should deal with, those things we wish to see dealt with, those things we wish to curb and, if need be, to eradicate.

Some people affect to sneer at what they call State rights. "State rights" is a phrase used in some localities to express what is meant by "home rule" or by "local self-government" in others; but whatever the terms employed, whatever the phraseology used, the idea expressed is the same. It is the rule of the people. It is the government of the people by themselves.

It is the management by the people of their own concerns, according to their own judgment and devices, according to their own necessities, as developed and illustrated by experience. And who is it here that decries local self-government? Who is it that decries home rule? Who is it that decries State rights, to preserve the liberties of the people and give them control over their affairs?

Gentlemen need not expect to evoke the political prejudice of past years and to shelter themselves behind a phrase. When you strike down the power of the States; when you rob the States of their ability to control their own domestic affairs, to create corporations, to regulate corporations, to destroy corporations, if need be, within their own borders, you strike at a fundamental principle of American liberty; you strike at the citizen; you strike at the home; you strike at everything that is worth preserving in this land, because the larger power, the greater exploitation in larger fields all depend upon the preservation of individual rights at home.

Will this amendment do that? Who doubts it? Who questions it? What is it for if it will not do that? Why do you exploit the amendment if it be not to take power from the States and

concentrate it in the nation? That is the avowed object of it, and the pretended reservation of power to the States is a sham. And no man who will do himself the credit of being frank, and who, if he has reason enough to discuss it, will employ that reason in honestly dealing with it, will or can deny that the inevitable effect of the amendment must be to rob the States of power and to give to the National Congress an absolute arbitrary control; not wholesome, not needful, a power the extent or the limits of which no man here can define. It is a power that would sweep away State lines in effect and concentrate everything at the national capital, leaving those who dwell in the most distant hamlet in the land dependent, as to their own local affairs, upon the course of events here in Washington, instead of reserving to them what proudly and tenaciously for more than a hundred years the people have reserved and defended—the right to govern themselves at home in their local affairs in their own way.

This amendment is full of peculiarities. This amendment is an extraordinary production. This amendment bears upon its face and in every line of it evidence conclusive, irrefutable, that it was not designed for a place in the Constitution to control trusts, but that it was designed for a place in the campaign to delude the people. [Applause on the Democratic side.]

Notwithstanding what the gentleman from Ohio [Mr. GROSVENOR] said, are there good and sufficient reasons why no opportunity should be given to amend this amendment? What are they? The only one that the gentleman gave was that the Republican party is in power here, that the Republican party is satisfied with it, and that the minority party must vote for it or must vote against it. Is that a reason from the standpoint of American citizenship? Is that a reason that can find lodgment or support in American patriotism for exploiting an amendment here which, I venture to say, no man who will logically consider it can defend in its entirety or support in its several particulars?

Some say that power has not been taken away from the States; that they do not mean to take away power from the States. If that be true, if that declaration be candid and honest, will you tell me where is the objection to the employment of language clear and explicit expressing that purpose? Where is it and why is it? Is it a sufficient answer to say, as the gentleman from Ohio said, that this is a Republican measure, and that the Republican party is in power here?

Is that a sufficient reason? If this Republican party in control here designs to leave with the people of the States the power which some of them say is left by this amendment, why hesitate to phrase clearly the particular part of the amendment in which they say resides the assurance of that reservation? I repeat the question. Why object to making clear language which is more than doubtful? Why object to stating plainly what at best now is doubtful? Why object to stating plainly what you are leaving at the best, from your own standpoint, to implication and construction? Why?

The only answer which can truthfully be given for pressing this amendment in its present form is that you design, in your partisanship, in your narrowness, to try to carry the election again by false pretenses, to gain a political advantage in exploiting here an amendment which you know, and had a right to know, a large number of those upon this side never would vote for and the States never would ratify. The course that you take in respect to this amendment is at variance with the course heretofore taken upon such questions.

I doubt whether ever before in the history of Congress—I think I may say that never before in the history of the American Congress—was such a rule applied to a constitutional amendment. Will those of you who have looked up history anew please tell us if ever before in the history of this Government there was an instance where a constitutional amendment was brought in and hedged in as this is, forced to be voted for just as it was exploited, or voted against just as it was exploited, with no opportunity to amend, with no opportunity to move to recommit? When was it and why was it? This arbitrary rule is the pioneer in the field of constitutional amendments.

Can there be good reason for this? Can this action rest in a desire to reach the trust evil? Can it be promoted by interest in the American public, or is it promoted and directed solely by interest in the Republican party as an organization and the trust as its ally? I do not see how there can be doubt as to what the answer should be, or how there can be two answers to the question. In lieu of this vague language which means nothing and was intended to mean nothing, but which some gentlemen say preserves the right of the States to deal with this subject within their borders, the gentleman from Arkansas [Mr. TERRY] proposed something real. He proposed to strike out the words—

The several States may continue to exercise such power in any manner not in conflict with the laws of the United States—

And insert—

Nothing in this article nor any act of Congress in pursuance thereof shall operate to abridge or impair any of the rights and powers held by the several States prior to its adoption.

Now, if you wish to leave the powers of the States intact, tell me what is the objection to that. Tell me, in the first place, why you render impossible such a thing as the consideration of that kind of an amendment. Is there an answer to that? Do any of you still contend that you mean to leave with the States power to deal with trusts? What is there in the words that you have here except what is already in the Constitution?

It is an absolute fact that the States have the right to legislate upon any subject in any way not in conflict with the Constitution of the United States, treaties with foreign nations, or the laws of the United States. Is not that true? Is not that now absolutely fixed in the Constitution? Would you put anything more into it upon that subject by this jumble and mumble of words? Did you design to put anything more into it? You know you did not.

Purposely you refused to allow the subject to be considered, and we know why you refused. The country knows why you refused. Experience has shown you that there are, or at least have been, some men upon your side conscientious enough and independent enough upon great constitutional questions to raise their voices and to record their votes against the boss system which prevails there. Even now you dare not submit these questions, you dared not submit them at any time in this Congress—so grave and so far-reaching are they—to the individual judgment of your own members.

You propose under the party whip and spur, by the force of party organization, by the iron discipline which you maintain, which has one boss and many servitors, to drive this proposed amendment to a vote, just as it is, bad as it is. You dare not submit it to the judgment of your own people and you know it. That is one of the reasons which the gentleman from Ohio did not give, why there is no opportunity to consider amendments, no opportunity to make the motion to recommit. You are distrustful of yourselves. You are afraid that the better judgment and the better conscience of individuals among you will spurn, will spit upon, this attempt to delude the people, this cheap effort to make capital for the campaign at the expense of judgment and consistency and frankness, and the interest of the American public.

There is another provision in this amendment of yours, with its sacred i's and t's, that certainly is not here for amusement, not here simply as an introduction, not here merely for light reading in an idle moment. It has an object and a purpose. I refer to what is called section 1:

All powers conferred by this article shall extend to the several States, the Territories, the District of Columbia, and all territory under the sovereignty and subject to the jurisdiction of the United States.

Mr. LITTLEFIELD. One moment, please. My attention was distracted, but I thought I heard the gentleman state what he would suggest as an amendment, but I did not catch the amendment.

Mr. DE ARMOND. To that particular clause?

Mr. LITTLEFIELD. Yes.

Mr. DE ARMOND. I read from what has been suggested by the gentleman from Arkansas [Mr. TERRY], of the Judiciary Committee; read that part of it with reference to what some gentlemen say preserves the power to the several States. I hope the gentleman from Maine [Mr. LITTLEFIELD] will be frank enough—and I know his intelligence will help him to the conclusion if he will use it—to enlighten us on that subject. I refer to these words in the proposed amendment:

The several States may continue to exercise such power in any manner not in conflict with the laws of the United States.

The gentleman from Arkansas, I say, proposed in lieu of that these words:

Nothing in this article nor in any act of Congress in pursuance thereof shall operate to abridge or impair any of the rights and powers held by the several States prior to its adoption.

That is part of what would be offered if there could be any opportunity here.

Mr. TERRY. And that is what was ruled out by the Speaker yesterday?

Mr. DE ARMOND. That is what the gentleman from Arkansas had suggested as a means of making clear and certain the proposition that the powers of the States would not be taken away by this amendment; but that could not even be considered. That is what I said.

Mr. LITTLEFIELD. In other words, that would result in concurrent power. I want to get the gentleman's idea; that is all.

Mr. DE ARMOND. It would result in concurrent power to a certain extent. Later I will discuss that feature. I was right now upon section 1: "All powers conferred by this article shall extend to the several States, the Territories, the District of Columbia, and all territory under the sovereignty and subject to the jurisdiction of the United States." There is a novelty for you, Mr. Speaker; there is an exploitation of the new theory of the constitution makers; there is something that finds no model in the making of

a constitution by the fathers or by any of their sons, until there come these sons, if they be sons of the fathers [laughter and applause], exploiting their theories here.

Prior to the episode now upon us, it never entered the minds of men, even for political purposes only, to exploit anything like that section 1. Is that a thing to put into the Constitution, that mighty instrument which has challenged the admiration of the wise men of the world, by which we have conserved the liberties of millions and millions of people here in this land, blessed by its shadow and its protection? But these gentlemen insincerely propose to do that. They propose it with so much firmness in their hypocrisy, they are so tenacious about it, they regard it as so distinctively a Republican policy, that here not an "i" shall be dotted and not a "t" crossed. You must take it or reject it just as it is.

How simple and how easy, my brethren upon this side, ought the choice to be! How plain is the plain duty, as it seems to me, that now confronts us; not a "plain duty" to be exploited at one time and repudiated at another. [Laughter and applause.] A "plain duty" to be followed as consistently as the judgment and the rights of the American public demands. What is this for? I have no doubt that the gentleman from Maine [Mr. LITTLEFIELD], who closes this debate, will tell us; and I admit now that I shall be a most attentive auditor while he is telling it.

I recollect well how a short time ago, when this question of where the Constitution might go and how it might be restrained, what might be the medium of the conveyance of it—when these questions were up, I remember well how that gentleman thrilled this House, how his speech and his logic sounded and resounded throughout the United States. I remember how a new hero was born, how a man from Maine was covered with plaudits of "Well done, good and faithful servant," for being at once able, brave, and conscientious.

I have not forgotten how that man arose above his party when his party was wrong; how that man pleaded with his party when his party in its blindness would not choose the right; how that man, with courage to determine his course by the chart of judgment and conscience, won fame. An able man, with an eye for the national life, he rose high in the estimation of the American people at a time when others were ready to throw the Constitution away, and after offering pitiful little arguments and excuses continued to shrink and shrivel until the public no longer could see them. [Applause.]

I remember that, the House remembers it, the country remembers it. The great question then was whether this old Constitution of ours, this time-honored Constitution, this venerated Constitution possesses power over Congress or whether Congress possesses power over it. Then there was that effort to determine for the guidance of Congress whether the Constitution is mightier than Congress or Congress mightier than the Constitution; whether the Constitution dominates and controls Congress or Congress dominates and controls the Constitution.

In other words, whether the Constitution is still to be the supreme law of the land or be dropped into the minor position of a local law for the guidance of the justices of the peace, while Congress swells into omnipotent power over many lands. When that great question was up, and when connected with it was the other great question of justice and humanity to the Porto Ricans—the honor of the American people in dealing fairly with those who had come without bloodshed under the protection of the American flag; those who had gathered around our soldiers, not in hostility, but in hope and in friendship; those who had thrown boquets and had not hurled shot and shell at the starry flag; those who put garlands about our soldiers and not chains; those who welcomed us and repelled us not; those who relied upon American honor, not dreading American perfidy—then it was refreshing to behold LITTLEFIELD, of Maine, as he left Republican partisanship for American statesmanship.

Refreshing not only to us, but refreshing to the whole land, was it to find this man from Maine refusing to be gagged and bound, refusing to lie in chains, refusing to be dictated to, bold enough to think, honest enough to follow his convictions, conscientious enough to see the right and to distinguish it from wrong—it was a beautiful scene in American politics.

I am merely saying what everybody knows, that all those who offered excuses or essayed to present arguments for the course contrary to that advocated by the eloquent gentleman from Maine and his confrères on the Republican side, who stood by the Constitution, all of them welded into one, could not occupy as much space in the estimation of the intelligent American public, could not tower as high or look as noble or present a picture as fine and as attractive to the American vision as the seven or eight Republicans who stood out alone, distinguished for ability and honesty and courage, defying the boss, rising above the low level where mere politicians grovel and breathing the air where statesmen dwell. [Applause on the Democratic side.]

Now, then, fresh from that picture, still enraptured with that scene, drinking in still that American sentiment which knew no party, no section, no race, I am waiting and I shall be watchful to hear from the gentleman from Maine how it is that there should be put into the Constitution of the United States, or submitted to the people for putting into it this provision: "All powers conferred by this article shall extend to the several States, the Territories, the District of Columbia, and all territory under the sovereignty and subject to the jurisdiction of the United States." I wait for the revelation upon that point. [Laughter on the Democratic side.]

I do not know, but I have had a kind of a suspicion (I hope it will not prove to be well founded) that our eloquent and distinguished friend from Maine who will close the debate has been buncoed. That, unable to bear him down when the Porto Rican question was up, his Republican brethren whom he chastised then have now circumvented him. I think I can see the grin of malicious mischief spread over the faces of these men, the men who trembled when the gentleman from Maine had the floor on the Porto Rican tariff bill, who shrank away when he towered above them; I think I can see the smile of satisfaction broadening into shouts of exultation as they contemplate the gentleman from Maine laboring at the task they have set for him, that of trying to explain how it is advisable or necessary to send this article abroad. [Laughter on the Democratic side.]

That performance is something to which we, too, look forward with lively anticipation. If explanation of the inexplicable can be found, if reason for the unreasonable can be discovered, if excuse for the inexcusable can be invented, I have not a particle of doubt that the very best that can be done will be furnished by the gentleman from Maine, who is undoubtedly capable of doing all that it is possible for a large man in a small trap to do. We heard him in a good cause, when he stood for the Constitution, when he stood as great men of his own State and great men of this nation stood many a time.

Then, as we heard the echo of his powerful voice in this room, we were charmed by his logic, we admired his courage, we absolutely pitied and yet enjoyed the shrinking timidity with which the smaller men on his side dropped away from him. We observed how bold he was, how he challenged them to the contest, almost invited them by name, how he paused and waited for them to come to the front and break a lance with him. It was at once gratifying, and yet nearly heartrending, to behold how they shrank away and how they shriveled in the superior presence. [Laughter on the Democratic side.]

Now, I have no doubt that when I conclude my remarks this afternoon, and the gentleman rises, these same men will gather into their seats—they are not all here now, some are enjoying the open fresh air [laughter]—how they will gather into their seats, and how they will rejoice to hear from the lips of the eloquent gentleman from Maine a defense and justification of their course and a repudiation of his own. [Laughter on the Democratic side.]

As I said before, this will be done as well as anybody could do it; and while it is done, and after it is done, we shall have an opportunity to observe and determine whether the man from Maine is most powerful, rising above his party upon a great question and standing for the right, the eternal right, standing in the ranks of statesmen who stood for the Constitution in the years that are gone, standing where he will be noted in years to come, or whether he will be a more powerful and more conspicuous figure in the rôle of defender and apologist, for the policy that his party has brought upon him, even beyond the possibility of voting for an amendment to change it. Defending the Constitution will, I believe, prove a nobler work than apologizing for this sham amendment.

Now, what do you mean by this? My notion—I submit it to the gentleman from Maine, because if I am wrong about it he will correct me I know—my notion is something like this: Here is a declaration by those who may vote for the submission of this amendment, that the Constitution at present does not reach where Congressional legislation may go; in other words, we here have an illustration of what the gentleman who supported the Porto Rican tariff bill—the gentlemen who were in favor of following the path of "our plain duty" backward [laughter and applause] characterized as the infirmity of the Constitution.

If it is not a recognition of that, what is it? Either this proposition, independently of this provision, will go to the remotest parts of the earth to which our power extends, to which our legislation reaches, or it will not. That must be true. We must take one or the other side of a proposition which has only two sides. Suppose this provision were left out of this constitutional amendment, and suppose in that form the amendment should go into the Constitution, would this new power extend as far as the power of legislation goes, or would it not? It would not do both; it would not at the same time go and remain behind.

If I had before me the most forceful and eloquent and convincing speech of the gentleman from Maine, and if time would permit the reading of it, I would prove conclusively to any doubter that the Constitution does not need to be carried anywhere by Congressional legislation; that wherever Congressional legislation

goes there will be also the mighty, supervising, ever-controlling Constitution, to guard the rights of the people and curb the power of the Congress. I could prove that far more conclusively by quoting from that gentleman than I could by any words or arguments of my own.

I do not know whether or not any change has come over the spirit of his dreams. If this amendment, with this first section left out, would extend without Congressional aid, why is the first section put in? I have no doubt the gentleman from Maine will tell us why, if there is a reason for it which he cares to give. Upon the Republican theory, the power of Congress over "our new possessions" is unlimited, unrestrained by the Constitution or anything else. Upon that theory Congress would have no greater power in "our new possessions" with this section 1 in the Constitution than it would have without it. Then it is clear that section 1 is put forward for the double purpose of forcing gentlemen like the gentleman from Maine to vote for an interpretation of the Constitution which they have repudiated, and to invite gentlemen upon this side to vote against a doctrine that is false and a proposition that is a fraud. Section 1 is but a sorry trap, except for those who wish to be caught.

Now, if you vote for the submission of this constitutional amendment with this provision in it, how will it lie in your mouth or the mouth of any man to say that in your or his belief the Constitution possesses a power of its own to go as far as Congressional legislation can extend? This provision did not drop in here by accident. This amendment was shaped and put together in the secret recesses of the Republican council chamber.

It was put in to catch somebody, and I am sorry to say that one of the people they designed to catch—I hope somehow or other he will get out of it—is my friend LITTLEFIELD from Maine. It was put in with the purpose of catching Brother LITTLEFIELD and his confrères and also for the purpose of catching, if we may be caught, if we are ready to be taken with chaff, anybody on this side of the House who may persuade himself that he is supporting the Democratic party and standing by the Constitution in voting for this bogus Republican amendment.

What other effect does this provision have? Does it not amount to a declaration that independently of it this proposed constitutional amendment would not extend to those outlying possessions, as some gentlemen wish to call them—those possessions left in Cuba, not yet stolen by Neely and his confrères [laughter], what has not yet been gobbled up in Porto Rico, and the little strips here and there, ever varying, of what we control in the Philippines. [Laughter and applause.]

Now, when we legislate with reference to any of these things independently of this provision, independently of this section 1—if the remainder of this proposed amendment were in the Constitution—would it be necessary, in order to get it in force somewhere, to specially exploit this provision? I will wait for a reply from the eloquent gentleman from Maine. If it is the old reply, he will say, "No; this Constitution of our fathers, by decisions, unvarying and unbroken, of our Supreme Court, by the consensus of opinion and solemn declarations of the wise and great men of all parties in our land, is a mighty instrument that goes as far as American legislative power ever can extend." If he does not say that, then I have nothing to do with harmonizing what he does say with what he did say. [Laughter and applause.]

If it is necessary to put in this provision, why was it not broadened so as to extend to the old, decrepit, helpless Constitution? Why was it that you would carry by this section 1 the powers conferred by this proposed Article XVI, and none other—why is it that these powers only shall extend so far and operate automatically to so great an extent, if the Constitution does not extend by its own vigor wherever American law can extend, wherever American legislation can be, wherever American civil rule can exist? Why did you not, while you were about it, try to give a little more force to the Constitution itself?

I may well dwell upon this extraordinary section 1, this novel thing, this curio in constitutional amendments; and I am anticipating, as far as I can, what is going to be said for it.

The gentleman from New York [Mr. RAY], in his remarks yesterday, said that if it should be held that the Constitution does not extend to these outlying provinces, section 1 will carry there this article 16. That I presume is true; but what about the remainder of the Constitution?

If you take this extraordinary precaution about Article XVI, which you never expect to get into the Constitution, why not take a little precaution about the remainder of the Constitution? If it should be held that the Constitution does not extend, why not have a provision in here to extend it? What a Constitution we should have if this provision should go in and that contention were held to be true! Then we would have the whole original Constitution circumscribed and limited and its provisions under Congressional control, while we would have this amendment, this Article XVI, appointed to range the wide world over, wherever the flag might fly, wherever an American gun might be heard, wherever the American soldier might kill or be killed, in the Philippines or elsewhere. This constitutional amendment, presumably, would go to shelter and protect and encourage—the rest of the Constitution far behind—seas between, the nations intervening.

Now, gentlemen, in all sincerity, what do you think of this amendment, so sacred that nothing shall be offered to better it, so distinctly Republican, according to the gentleman from Ohio, who seems to know what is Republican, that you must vote for it or vote against it?

Ought any great question of difficulty to be presented at this point? Ought there to be any trouble about voting against this amendment?

Now, there we have it. There it is. Gentlemen, again I ask, Why do you refuse to allow an amendment to be considered here? Is it because you think that just this amendment and nothing else is for the people the best that can be put into the Constitution? No. I venture to say there is hardly a man here—I do not believe there is one; let me think better of the House, let me think better of my political opponents than to suspect that there is a man to be found in this body who will have the hardihood and the effrontery to say that you desire to have this amendment just this way, because you consider that in just this form it would be best for the people.

You do not even make pretense of that. You do not even disguise your purpose. You are trying to carry yourselves through a campaign. You are trying to make the people believe that you can not do anything unless you have a constitutional amendment. You are trying to make the people believe that you have gone to the limit; that when the bill which is reported and which will be acted upon to-morrow has passed into law or the Senate tomb, you will have gone to the limit beyond which there is no constitutional possibility of going.

And then when the people point to the mighty trusts that have grown up since March 4, 1897; when they call to your attention the fact that these trusts have grown up under the shelter of your laws and that the men in them, in many instances, are the men who control the destinies of your party, who control your conventions and buy your elections, you are going to say, "Why, my good fellow; why, my dear sir, we have gone just as far as we could go until we get increased power by a constitutional amendment." Your object is to shelve the trust question. Your object is to delude the people into the belief that you can not do anything more than you are about to do, than you will do to-morrow, unless you have a constitutional amendment.

Considering what a monster the trust is; considering how men, women, and children are perishing before it; considering how liberty is going out in individual instances, how individual enterprises are blighted and crushed and individual lives wrecked and ruined by the mighty trusts, would it not be well enough to see how far constitutional power does go? Suppose in your eagerness to reach the trusts, if you had any eagerness, suppose in your desire to curb the trusts, if you possessed that desire, you were to pass a law that in some of its features should prove unconstitutional. What then?

It at least would stand in evidence, it at least would stand established, that you had not only gone as far as you could go, but that in your eagerness to meet a growing evil and to correct a great wrong, to produce great good, you had gone even further—you had pressed the Constitution to its utmost bounds, you had used your legislative power even beyond the point where you have a constitutional warrant for its employment upon this question. Oh, no; you have no such idea as that.

How many trusts are sheltered behind the protective tariff? How many trusts are created by it? How many trusts could not live independent of it? Are you ready to pick out a single article upon which there is a heavy duty, which is controlled by a trust and by the sale or monopoly of which the American people are robbed, and take that protective tariff duty off of it? No; not one.

You have been asked in this Congress; you have been asked by the press of the country; you have been asked upon the hustings; you have been asked over and over to do that, and you will not do it. What is your reason? Is it a good one? You talk about a "protective system." Do you wish to be understood that the protective system is designed to build up and maintain trusts? Is that what you wish to be understood as talking about when you talk about your protective system? If that be true, proclaim your purpose boldly. Say that you love the tariff for the trusts it makes. [Applause on the Democratic side.] Say that you retain the high protective tariff for the trusts it shelters and protects. Say that you love the tree for the fruit it bears, and that you water and cultivate it for what may be gathered from it.

If that is not what you mean by the protective system, how can you deny that the trust is a false growth? And yet you will preserve and protect it, and yet the people shall have no relief from its blight. How, gentlemen, are you going to account to the American people for that? What account do you give to yourselves? It will not do in this day and hour; it will not do

when this trust evil is widespread throughout the land and when millions are in its grasp, soulless, cruel, inexorable—it will not do then—to prate about the beauties of the protective tariff system as a system. It will not do even to dignify it by calling it an American system.

Can you deny that there are trusts sheltered under it? Do you know that those trusts would thrive as well if they were not protected by it? If you do not, it is your duty to lower the tariff wall to smite the trusts behind it. It is not even necessary that you know that if you remove the tariff from some of these trust articles relief would come to the people, but unless you absolutely know it would not it is your duty to remove the high protective tariff and try the experiment. You will not do it. Why? Is it because you are looking so carefully after the interests of the people? That reason, it seems to me, is not satisfactory. If there is any other, let us have it. Indeed, we know what it is.

Now, that is one means of dealing with the trusts. You will not resort to it. You can not claim that that is not constitutional. You can not claim that there is any constitutional trouble in the way of taking off a high protective tariff when a trust shelters behind it, when a trust robs behind it, almost murders behind it. You can not claim there is any constitutional trouble in the way. All there is of it, you will not relieve where you may; you will not lift the ban where you have the unquestioned power to lift it.

You will not give the people relief when the way to relief is plain and distinct. You will not even try the experiment, if you doubt whether relief will come. How can you doubt it? How can you doubt that if there is a heavy protective tariff duty upon a particular article, excluding foreign articles of the same kind, and that article here is manufactured and controlled and marketed by a trust—how can you doubt that the taking off of that duty and the opening of the ports of the country to the free importation of that article will destroy your home trust?

But it is suggested, wisely and sagely, in the report of the majority of the committee, that if you destroy the trusts here at home by lifting the duty you simply invite a world-wide trust. That logic is fine, that prospect is delightful, that assurance is refreshing. The trust is here, strangling the American citizen, robbing his wife and children, doubling and trebling prices, sheltered behind a protective tariff, supported by it, defended by it, and in the final analysis, upon the last call, in giving your ultimate reason, you say, "We will not take off that duty, because if we do we invite the formation of a world trust upon the same article."

Gentlemen, do you consider that a good reason? Do you hope that anybody will consider it a good reason? Do you hope that the reason, which is no reason and which you know is no reason, will be accepted by the intelligent American public as a reason? Now, what a nice little time we might have in the case that is supposed, in the case that you yourselves admit in the report, if we were to remove the high protective tariff duty and get rid of the trust that is! Why, there would be a breathing spell at least. This world-wide trust would not be formed in an hour, would it? No adverse elements, no difficulties about it, no huge thing that might break of its own weight?

Ah, the world-wide trust, the trust that is to be, the trust that is to go as far as this constitutional amendment is to be sent by section 1; the trust that is to go farther; the world-wide trust that, according to your philosophy, is to go farther than the Constitution can go; that is a dream, a specter. That is merely a scarecrow which you set up to frighten away the blackbirds. It will not answer for reasoning men; it will not answer in the light of experience. It will not answer for the intelligent American public.

Get rid of the trust that is, give us freedom now, give us exemption from robbery here; and until the world-wide trust is formed, if it ever is, we at least will fare better; and when your world-wide trust is formed, if ever it is, we will fare no worse. Relieve us from the robbery now, strike down the oppressor that is at the throat of the independent American citizen, and we will take the chances upon the oppressor who is to come by and by from somewhere in the wide, wide world. Do not fear, my friends, about that combination that is to come, if you break up the combinations that have come.

Now, there is a little device known and tried in this country for years with considerable success, that of excluding from the mails certain matter, such as lottery tickets and correspondence about lottery tickets and various things that may go through the mails with reference to lottery tickets. Could not that be applied to trust correspondence and trust business carried on through the mails?

Would it be unconstitutional to extend that to trusts, to denominate them robbers when they are robbers, to call crime crime when it is crime? Would it be unconstitutional to extend the provisions of the anti-lottery law, of the anti-swindling and anti-green goods and anti-bogus operator law, to the operator of the trusts? Who says that would be unconstitutional? Why, as I understand, the majority of the Committee on the Judiciary say that. Why would it be unconstitutional? They have not told, and they can not tell. They rejected amendments to that effect. The trusts must not be hampered thus. The postal system must be useful to them and the Neeleys.

Take the monopoly of the patent law. How easy it would be while legislating against trusts to fix a shorter term during which the patentee shall have the exclusive use and control of his patent, and then Congress can easily fix an additional term during which the patentee shall have complete control, subject to the limitation that he shall, upon reasonable terms, permit the use of the patented article and grant the right to manufacture it on a reasonable royalty. Would that be unconstitutional? I think not. Who says it would be? Is there not a remedy there?

Then we have demonstrated under the law how another power can be used and how effective it is. Once there were in this country State banks of issue. It was thought advisable to destroy these State banks as banks of issue and have none but national banks of issue. The Congress of the United States placed upon the issue of State banks a tax of 10 per cent. Of course no State bank could pay 10 per cent for the issue of notes and do business. The result was that from the hour that law took effect not another State bank note was issued, and if that law remains in force not another State bank note will be issued between now and judgment day.

Could not that power be applied to the monstrous abuse that constitutes the trusts? Could not the taxing power reach them? Surely it could, but you will not apply it. For another example, consider the oleomargarine law.

Control over the traffic in intoxicating liquors has been given to the States. A bill was passed by the House a few days ago to put convict-made goods under State control. Why not trust-made goods also? Simply because the party in power will not pass any law that might be effective against trusts.

These are some of the means that might be employed constitutionally, without doubt, because they have been sustained by the decisions of the courts on laws now in operation, and effective operation, in many instances beneficently operating; yet with this greatest of evils, with the hideous oppression of the grossest of despoilers, you will not deal effectively. Instead of honest effort to reach the trusts by approved legal methods, you pretend that you must have a constitutional amendment, and try to delude the people into the belief that they can have no relief except through a constitutional amendment, saying to them that relief must be denied because the power to extend it does not exist.

You gentlemen may have supposed when you fabricated this amendment that you would reap some political advantage in the House, and in the country when you go from the House to the country. You may think it would be some embarrassment to somebody upon this side to vote against this monstrosity; to vote against an amendment to destroy the power of the States; to vote against an amendment which would put upon the Constitution the most pernicious construction.

You may think it would be some embarrassment to vote against such a constitutional amendment. For one, I find no embarrassment in it. Suppose the amendment be submitted to the people, what would be the condition of things? Then you would proclaim, and you would have the action of the House for justification, that nothing could be done until thirty-four of the States should ratify the constitutional amendment. Then the question before the American people would be whether this amendment ought to be ratified by the several States and what would the States do about it? What would you do? Would you ask your people to vote for this amendment to the Constitution? I for one would not.

I would scorn to go before the people who sent me here and advocate any such policy. [Applause.] I would scorn to say to them, the humblest and most insignificant one of them even, "Try to elect men to the legislature who will vote to ratify this amendment to the Constitution, who will suffer this miserable proposition, this sham and bogus proposition, this mean little Republican political proposition, to prevail in the mighty sovereign State of Missouri." I would scorn to start it, and I do not propose to start it by voting for it here.

Now, there is the amendment, with whatever of politics is gathered about it. It was born of political need, as I said before. I do not criticise you gentlemen for trying to make political capital, though you really ought not to try to play with both the Constitution and the people. There is a kind of yearning in human nature, a kind of instinct—perhaps an instinct of self-preservation—that causes people to reach out and grab for that which they think they need, causes a drowning man to catch even at a straw, causes a man who has a disease that is mortal, if he feels better to-day, to persuade himself that he will be still better to-morrow and has long years of life before him. No; I do not blame you for striving to lay up something for the rainy day that is coming for you.

Your whole course is tainted with scandal. The American citizen who walks through your charnel house is forced to hold his

nose, because the stenches are many and all of them bad. [Laughter on the Democratic side.] No wonder you are trying to get some political capital. You legislated about Porto Rico. What did you do? Passed an un-American act establishing a despotism down there, treating the people worse than Spain ever treated them, disgracing the American name, violating the American honor, bringing the blush of shame to the cheek of American citizenship.

You stifled your own committees. You muzzled the honest men of your own household. You continue the burdens of the war taxes. Your appropriations are reckless and enormous. Your pupils in imperialism have plundered like the minions of tyrants. To what chapter of your republican performances can you turn and hope for the approval of the people? I do not chide you, I do not find fault with you, for this last desperate effort to get something out of this constitutional amendment. If you get anything out of it, it will be because the American people are far more stupid than I think they are, and because delusion is much more attractive to them than plain conduct and honest acts.

Can there be anything in the proposition that because you label this "anti-trust" we shall not look beyond the name, beyond the label? You have labeled many things other than what they are. [Laughter.] You have been guilty of false pretenses. There is not a package of your political nostrums that will bear inspection. [Laughter.] It may be taken by label, but it can not be by sample, much less by test of reasonable quantities. Here is the label: "Anti-trust Compound." Why the trusts would be more powerful, the chances of the trusts would be better, the power of the people to meet and overcome them would be less, if this amendment of yours were in the Constitution to-day. Put this into the Constitution, and the power of the States is gone. Surely you draw your power from nowhere else. All the gain in the power of Congress would be at the expense of the State.

The gentleman from Maine (Mr. LITTLEFIELD) asked me about "concurrent" jurisdiction. The jurisdiction I am in favor of is that which will insure ample power to the United States if they lack it. I am willing to vote for an amendment to make sure of it and to put the power clearly above and beyond the quibbles that you make and which you urge in the courts. To put it beyond your quibbles, to get clear of all criticism as to the want of power, I am willing to amend; but I am not willing to amend so as to take from forty-five States the power that they now possess. Each creates corporations at present; each may control them.

In my own State and in many other States they are created by general law. Any body of people wanting to do something lawful and proper, by complying with the requirements of the law may be incorporated. You propose to wipe that away, do you? You propose to take control of these State corporations? You propose to say which one of them you will denounce and destroy, if you destroy any of them, which ones you will shelter and protect. I am opposed to that kind of legislation. Talk about concurrent jurisdiction! I am not talking about that jurisdiction which is concurrent until the greater power of the United States is exercised.

It is possible by constitutional amendment, it is feasible and right, if you are going to attempt a constitutional amendment at all, to provide that in the Federal realm where the powers of the General Government are supreme, the power over trusts shall be complete and ample—as I believe it is now—that there shall be no room for question about that—and in the smaller realm where the State has control, where affairs are more completely under the jurisdiction of the people, there too power shall be unquestioned. With power in the Federal Government, full and ample, to deal with trusts in the national domain as the Constitution has fixed it, and with full and ample power remaining in the States to deal, each in its own realm, with such corporations, where will you find shelter for the trusts, providing (and that provision must always be made) that the people elect to make and to execute their laws men who will be honest and courageous and faithful?

Trusts have grown within the last three years as they never grew before. They are mightier, they have invaded more new fields, conquered more new provinces, made more new slaves than ever before. And yet you bid the people wait until you get a constitutional amendment. And such a constitutional amendment! Wait until we get this, not something else; not something better; not something that can be supported by the judgment of men; not something that is in the interest of the American citizen. Wait until you can get this partisan measure; wait until you can get something stamped "republican;" wait until you can get this ratified as a republican measure; wait until the Republican party controls three-fourths of the States of the American nation; wait until the Republican party gets what it has not now under its present leaders—a sincere desire to cure the trust evil.

Put your amendment into the Constitution, and then Congress would have a monopoly of corporation making. It would create them by special acts, and in making many corporations the trusts which it would create would not be few. And if you doubt whether these law-created trusts would have the power to maintain themselves and stifle competition, note that there is but one railroad road bridge over the Potomac at Washington, and that many efforts to get Congressional leave to build others have been defeated, to perpetuate a monopoly. Note how corporations which Congress has fastened upon the District of Columbia are influential enough to prevent competing companies from securing an opportunity to compete. This amendment would prove a breeder of trusts.

That is putting off the resurrection a long while; that is prolonging imprisonment through life; that is inflicting the death penalty without benefit of clergy. "Wait until you get this amendment!" When? Who believes you are ever going to get it? None of you—none of you. What in the meantime? To every attack made upon you, to every appeal directed to you, to every cry for relief from those in distress, the one answer, stereotyped, will come: "My God, dear people! We can not do anything until we get this constitutional amendment;" and then aside, "which, thank God, we never will get." (Laughter and applause on the Democratic side.)

Now, do you suppose that the American people merely want something spectacular in the coming campaign? Do you suppose that the American people are interested in the trust as a show? Do you suppose the trust does not go farther and deeper, does not strike harder and afflict longer, than the trivial little passing things of the hour? You have the opportunity to learn what the American people think and determine.

I am not going into the business of prophecy. It is not prophecy, it is demonstration, to say that the American people feel profoundly on this subject, that they will scorn the man or the party of men who in the hour of their extremity—who in their distress—who, when they are suffering from mighty wrong, will say to them "Be patient; wait until we give you a distinctive Republican constitutional amendment; wait until we force into the Constitution of the United States an amendment which never will get there—which we do not design to put there." Gentlemen, do not trifle too long with the American people. They have been patient with you.

You have referred to the war, and talked about saving the Union. You have had "the old flag" swung in the air, and have talked about the flag as though it were your flag and not ours also. You have talked about never hauling it down; you have said "where the flag has once been raised, there it shall float and float forever." You have attached to you certain blocks of voters—some through ignorance, dense, and dark, and deep—some through interest and cupidity; you have them secure I presume; but there is a great intelligent body of American citizens who constitute the majority of the American people.

You are presuming to mislead them; you are presuming to get again their votes by false pretenses and to lull them into a sense of security where there is no security. But this is not all. If you should succeed in your schemes the condition of the people, instead of remaining the same, with deliverance delayed, will be much worse. The trust, like most evils, is a progressive evil; the disease is contagious and infectious. Trust breeds trust; robbery encourages and excuses robbery.

Pretense, hypocrisy, successful delusion of the people, only invite more of the same thing. Let this deception be rewarded, let the people be blinded by such pretenses, let them forget their best interest, and forego their present opportunity, and the time, perhaps, will not be far distant when the gentlemen who now talk about the trust not being "necessarily bad" and the gentlemen who say there is no trust, and the gentlemen who say that if the trust is bad they will deal with it, may be emboldened, as they see the people more helpless and the power of the trust greater and the trust more exacting, and its contributions for party purposes more satisfactory—they may be encouraged and emboldened to say "The trust has come to stay; the trust is not to be fought; the trust is not to be disciplined; the trust is a modern development; the trust is a product of this great and mighty power called 'progress,' and is the evidence of prosperity."

Some gentleman talked about "prosperity and the trust." He conceded that the trust lately has grown as never before. He conceded that the growth of the trust has been phenomenal in McKinley's three years, and he said its growth is due to the prosperity of the country. My friends, do you think the people want the prosperity that makes the trust? That is the prosperity of which you are boasting, is it? That is what you mean when you talk about "prosperity abroad in the land?"

You mean that the trusts are prosperous, that those who bask in their smiles and enjoy their favors are prosperous. But there are many who are under their ban, who are damned by their curse, who are robbed at will by the trust as it goes its way. The people do not regard that as prosperity. The trust is here, gentlemen say, because the country is prosperous, because so much has been done by the Administration for the country, therefore the

trust is here; the trust is the concomitant, the attendant, the running mate of Administration prosperity.

The prosperity which I believe the American people would relish and which they ought to have—the only prosperity worthy of the name—is the prosperity that reaches the rank and file of American citizenship; the prosperity that brightens the humble home, that makes the lot of the humblest man in the land more worth living; the prosperity that reaches the industrious man in the field, in the shop, in the store, in the office; the prosperity that is broadspread and far-reaching; the prosperity that raises the general level; not the prosperity that erects magnificent buildings where trust offices may be held and the trust magnate may dictate to a subservient world below; not the prosperity that gathers millions into few hands and dispenses charity and hospitality here and there; not the prosperity that magnifies the few and loses sight of the many; but the prosperity that is all pervading, the prosperity that goes with equality, the prosperity that fosters independent manhood, that brightens the sky of childhood, that enlarges the horizon of human kind. That is the prosperity that is worth having, and that prosperity is not the breeder of trusts; nor is it their offspring.

That prosperity comes with just and equal laws. That prosperity will dawn upon this country, that prosperity will abide in this country, when just and equal laws come, and when partiality and favoritism, injustice, wrong, and oppression, subterfuge, chicanery, and pretense are banished these halls by the sovereign edict of the sovereign people. That is the prosperity which we invite. That is the prosperity which none of us need shrink from. That is the prosperity for which the American citizen longs. That is the prosperity for which he plans, for which he works, which he earns. Deny it not to him. Do not try to delude him into the belief that it may come, not now but in the far-distant, uncertain future, when you get a miserable constitutional amendment, a sham, a fraud, and a pretense, a snare and a delusion, a hypocritical performance, into the Constitution. Do not try to delude him into that belief.

Nearly one hundred years have passed since any amendments to the Constitution were adopted, saving and excepting only the three which came out of the throes of the terrible war between the States. Do you believe that in these piping times of peace an amendment which is projected as a party amendment, stamped as a party amendment, made a party amendment, distinctively, offensively, and proscriptively—do you believe that kind of an amendment can go into the Constitution? Is that broad-minded statesmanship? Is there in the offering of it a desire to do good to anybody or thing except the Republican party and the trusts?

Now, Mr. Speaker, I have talked longer than I expected to do. I do not know that any good comes from speaking to the House upon these questions. I have addressed myself to the House not so much at my own desire as at the suggestion and request of some of my colleagues.

The matter, so far as we are concerned, is with the House. Upon that side you can not carry your hypocritical amendment through. Upon that side you can not submit it to the people. You can not throw this bit of waste paper to the people. You can not carry to them this chaff, and say, "Here, eat and be strong." You can not carry to them this wash, and say, "Drink and let your thirst be slaked." It needs assistance from this side. I for one shall not render it.

If this goes to the people, if this abortion of an amendment is thrown in their faces, if this sham, this insult, is offered to them, if this attempt at deluding them is to succeed in this House, I at least will have the satisfaction of knowing that I did not further the Republican partisan enterprise, that I am not in the bunco game, am neither playing it for myself nor allowing myself to be hoodwinked and deluded or coaxed or driven into contributing to the Republican relief fund. What credit can you upon this side get for helping the pretenders? What credit will any of you get for voting with the Republican party for such a thing as this when they say to you bluntly and offensively, "You shall have nothing to do with framing a constitutional amendment for submission to your constituents; you must vote for our amendment or vote against it?"

Such insolence, such defiance, will have over here an effect far different from that which you may have calculated upon. Small will be the help you will get from us in your effort to make capital for your party. We will show you that we can vote against your sham amendment and that we fear not to do it. For one, I will vote against it most gladly, and you will find me in a goodly company. [Applause on the Democratic side.] I have no fear about the result when I return to give an account to the people who sent me here. They will approve of opposition to your false pretenses. [Applause on the Democratic side.]

For three and a quarter years you have been trifling with the people while the trusts grew and waxed stronger and stronger and more numerous and still more numerous. Now you are about to be called to account. You would like very much to get another four years' lease of power. You know you can not get it upon the record which you have made, and so you offer a fake record. Have you forgotten what Lincoln said?

You can fool all the people some of the time and some of the people all the time, but you can not fool all the people all the time.

We give over to you those whom you can fool all the time, but to those whom you have fooled part of the time—and long enough, surely—those whom you can not fool all the time, we shall appeal for judgment against you. And in our long indictment place will be found for a charge of false pretenses and hypocrisy with reference to the trust question. We need not summon witnesses to prove your guilt; you are confessing it right here and now. Bow your heads and submit to the sentence of your indignant sovereign, the people. Vacate—make way for Bryan and reform. [Great applause on the Democratic side.]

APPENDIX.

Mr. DE ARMOND, from the Committee on the Judiciary, submitted the following as the views of the minority:

[To accompany H. J. Res. 138.]

The undersigned members of the Committee on the Judiciary do not agree with the committee in reporting with a favorable recommendation House joint resolution No. 138, proposing an amendment to the Constitution in relation to trusts.

However desirable it may be to increase the power of Congress over the growing and most burdensome evil popularly known as the "trust," we do not concede that Congress now is as impotent in the presence of the trust as the committee would have us believe; and whatever the power or the lack of power of Congress may be, the constitutional amendment recommended by the committee is but a feeble response to what the committee regard as a loud and imperative call.

If, as we believe to be true, the public welfare should be the chief concern of the legislator, the American people may have cause to regret that the trust question has been seized upon for party advantage. Perhaps those who are the victims of the trust—and their name is legion, with the number fast increasing—when they learn the facts about the course of the committee in dealing with the subject of amending the Constitution and the law, may conclude that their protection was less in mind than the advancement of the interests of a political party. Anyhow, the fact is that the members of the subcommittee appointed supposedly for the consideration of the trust subject were divided, by action of the majority, into two parts along the line of political affiliation, those of the majority party to consider what the exigencies of party politics might demand, and the minority to wait for the deliverance of the majority.

In other words, committeemen of one party only were deemed useful in framing the trust amendments to the Constitution and the law. A political trust was formed to operate upon the trust, possibly because the trust may be given a political turn. And after the committee had passed upon the work of the subcommittee, so well along was the political undertaking that a report of thirty-four pages of printed matter was ready to go into the House with the proposed Constitutional amendment now before us, on the very day that the full committee authorized the making of a report to the House. To those at all familiar with the modus operandi no surprise will be occasioned by the statement of the fact that this long report was not exhibited to the minority, but presented to the House direct by the majority, as if the putting of it in thus and the keeping of it under cover until it was put in might operate as a party "scoop."

And then how particular the gentlemen of the majority were lest the minority might obtain a few hours' time for the preparation and filing of their views beyond the period by the majority deemed sufficient from their standpoint, and toward the accomplishment of their purposes. If it be said that they were somewhat parsimonious in doling out time to the minority from eagerness to take up their resolution and get it through the House for the relief of a suffering public, one may wonder why they did not report long ago. So much for the course of events so far. Who knows but that if there had been a purpose to help the people as a first consideration instead of a purpose to help the G. O. P. we might have before the House a better amendment upon which all, in the interest of the people, might agree?

In journeying toward a conclusion as to whether Congress is so nearly powerless as the committee tells us it is, it might be worth while to inquire what efforts have those charged with the enforcement of the laws made to bring to judgment some, or any, of the myriad of notorious violators of the existing antitrust laws? And when we find that the chief of those whose duty it is to prosecute offenders against that law persistently "fails and refuses" to prosecute any of them, the query arises most naturally: Are we suffering most from a lack of law or power to make law, or from a lack of officers willing to enforce the law? At least, we should not permit ourselves to drop too readily into the notion that we can do nothing substantial in the way of legislating, or that we have done nothing of consequence in that way, so long as we are afflicted with executors of the law who will not so much as try to execute it.

The committee appears to find a part of its remedy, a political part, of course, in amendments to the law which now is upon our statute books, unused for lack of officers to execute it, though officers are so plentiful that they jostle one another in their overcrowding. And the committee's view of the matter (political view, of course) is that the thing needful is to impose severer penalties (on paper) upon those who are not prosecuted, by amending the law so as to make it abound in heavier fines, which the prosecuting officers of the Government will not try to have assessed, and longer terms of imprisonment for the offenders, whom they will not try to indict. And such is the mixture of politics and law.

The committee report of 34 printed pages contains a carefully prepared treatise upon the protective tariff, to persuade the country (something else than persuasion being ample for the House, while trying to make political capital for the party which controls it) that the tariff has no bearing upon the trust evil, and that no blow could be landed upon the modern octopus by taking away the efficient agency of the tariff, by which, in many instances and with respect to many things, monopoly is formed and enabled to wax strong and rob.

For want of time, as well as because we do not believe the people or the Congress just now are deeply agitated over the tariff question, we shall not follow the example set by the committee in inflicting upon the reader, whether he be patient or the reverse, a discourse upon that familiar subject. But perhaps we might venture to observe, in passing, that if all protective tariffs were not in tendency and in varying degrees of accomplishment the creators of monopolies many of those who clamor for them so loudly and defend them with the zeal of self-interest would soon find themselves too busy to write or say anything for them. When an article can be bought for

$1 under free trade and a duty of 10 cents is laid upon it, it can no longer be bought for less than $1.10, unless the domestic manufacturer chooses to take the entire home market by supplying it for something less than that sum. Suppose he charges $1.09 for it, and has a monopoly of the market at that figure. Now tell us what has enabled him to become a monopolist, and what has given him the 9 cents bonus upon every dollar's worth of goods sold?

Consider for a moment how the tariff operates to make and perpetuate a shameful monopoly, known and felt as the "paper trust." The example is a familiar one. The sufferers are the proprietors of the smaller newspapers and job printing offices, and the poorer people whose employment and wages are reduced and whose supply of reading matter is curtailed. The gainers are a few millionaire monopolists. Remove the Dingley tariff duty from the paper and from the pulp from which it is made and the trust would at once be forced to loosen its villainous clutch upon the throat of American energy. A simple little bill would accomplish this reform, but the bills introduced for that purpose can not be considered, for reasons deemed good and sufficient from a political standpoint.

Examples might be multipled at great length, but the one given may suffice. And meanwhile we have the assurance of the Judiciary Committee that it is very erroneous to suppose that the tariff has or can have anything to do with trusts. Not only that, but we are warned to avoid the great danger from which, possibly, there would be no escape if we should try to help our countrymen by taking from some notorious and grinding trust here and there the support which the tariff affords it in its nefarious work. And who but the author of the committee report and its sponsors would ever have tracked to its lair the monster against which we are so solemnly warned?

The impending danger, to be avoided, we are told, only by continuing to support the protective tariff, is that if we repeal the tariff with respect to anything on which the trusts are growing fat and the people lean, we invite the formation of a world-wide trust. And yet, notwithstanding this sage counsel, let us wonder whether if we were rid of some of our persecutors here at home we might not have a brief season of relief while the new world-wide trust would be engaged in the work of creating itself. These gentlemen comfort the patient by advising him that it is not worth while for him to try to get well, because there are or may be diseases somewhere with which he has not yet been afflicted.

The country is pretty well acquainted with the workings of the antilottery laws, and is not a stranger to the "fraud" orders through which mail privileges are denied to a good many swindlers from time to time, with great satisfaction and benefit, upon the whole, to the honest portion of the community. Now, we believe that just what is done to the lesser culprits by means of antilottery laws and the fraud orders of the postal authorities might be done also to the arch culprits who operate through the agency of the trust. To put it mildly, what objection can there be, except from the trusts or in a political way from those who hope to profit by the friendship of the trusts, to trying the simple experiment of extending to them the laws under which we close our mails against the lottery and the swindler? But we are not able to do this, can not make this plain and simple effort for the relief of the people, because the committees of this House will not consider and report upon the bills introduced to accomplish any of the needed reforms to which we have alluded. The trusts, of course, are opposed to any and all legislation which might be effective for their restraint, and, as is painfully apparent, the trusts are not without support when and where it is useful.

Some insist that the taxing power of the Government, so generally employed for purposes good, bad, and indifferent, might be turned to good account in dealing with the trust. They say it would be unnecessary to use this great power to the full extent to which the use or abuse of it might go by making it the means of destroying the trusts; that wisely employed it would serve to give publicity to trust operations—and the light would be bad for them—and would also bring much revenue to the Treasury, while making, in the imposition of heavy taxes, the way of the trust transgressor hard. But, of course, those who have the power to thus check the trusts would scorn to tax them and put the tax money into the public Treasury.

Then there is the monopoly which finds shelter under the patent laws. How easy would it be to provide for breaking up such monopolies, while leaving to the inventor everything to which he is entitled. The exclusive right accorded to inventors in their discoveries and inventions could be for much shorter periods than now provided, and the price and terms of disposal could be controlled for a longer succeeding period, during which, subject to such control, to prevent the establishment and continuance of monopolies, inventors might enjoy the exclusive rights for which the Constitution provides.

Our conclusion, then, is that if the existing laws were enforced much would be done toward lessening the trust evil; but those whose duty it is to enforce these laws will not perform that duty.

Our further conclusion is that if the existing laws were amended so as to place upon the free list articles of prime necessity, notoriously controlled as to quality, quantity, and price by trusts, and if the antilottery laws and fraud regulations were applied to the trusts, so that the worst and best known of them, at least, could not employ our country's mail for the transaction of their plundering operations, much relief would be afforded to a suffering people. We believe, too, that through the power to tax manufacturing and other monopolies, and by amending the patent laws, additional relief might come. If we are wrong about all this, the trial of what we suggest, but what the committee will not have, would be inexpensive and harmless, while it would at least afford us the satisfaction of knowing that we honestly tried to do something for the relief of our constituents. We might pursue the subject further, but we are content to leave this branch of it, with the hope that the candid man who would like to serve his country, and who is content to serve his party by serving his country, will believe that we surely do not suggest less for the public good than does the committee, with whose conclusions we do not agree.

THE CONSTITUTIONAL AMENDMENT.

It is quite easy to propose amendments to the Constitution, but it is worth while to remember that for nearly a century that instrument has remained unchanged except by three amendments, all of which came out of the throes of the awful war between the States. Reflecting upon this potent fact, one can hardly hope or dread anything upon the subject of Constitutional amendments. And those who essay to amend the Constitution ought to know why they would amend it, and how they would amend it. If the trust scourge is so severe and deadly that more power must be drawn from the storehouse of the people to enable us to deal with it effectively, the amendment to the Constitution by means of which that power is to be secured ought to be free from some of the more common sort of blemishes. Now, let us look at the proposed amendment which the committee has indorsed at much length:

The committee appears to have been deeply, if not profoundly, impressed with the conviction that a constitution is about as erratic as a comet, and yet may be sent almost anywhere. Hence, they proceed at the outset to fix its orbit, or rather to fix the orbit of that part of it which they set out to fashion. Section 1 of the proposed sixteenth amendment would carry into the Constitution this guide to good deportment for the sixteenth amendment:

"All powers conferred by this article shall extend to the several States, the Territories, the District of Columbia, and all territory under the sovereignty and subject to the jurisdiction of the United States."

Of course it used to be enough to amend the Constitution, trusting to the amendment and the old Constitution to jog along together without special instructions to either. It was thought, and the language of the Constitution is to blame for the error, if an error it is or was, that an amendment became part and parcel of the Constitution; that the Constitution at a particular time was perhaps partly the work of its original framers and part of it the work of their descendants, but altogether the Constitution. In that ancient view, of course, there was no place for such a declaration as that just quoted from the amendment which our brethren of the committee commend to the favorable consideration of the House.

It may be difficult to fathom the meaning of this novel provision, and it is to be hoped that those who evolved it or invented it or discovered it will leave upon record ere they go hence just what they do mean. Possibly, for high and potent reasons of party, they may withhold the exposition for a time, at least, and so we may speculate a little about it.

Let us venture the guess that the profound purpose is to provide for invading the lair of the octopus in far distant lands, to which the old Constitution now can not journey, but to which by this modern device the sixteenth amendment will be sent. If there be some magic in these quoted words potent enough to carry this coming sixteenth amendment to dizzy heights and depths profound, to which but for them it never could reach, why not wave the magic wand of words over the whole instrument and sprout wings strong enough to bear it in its entirety to the misty realms, present and prospective, dimly outlined in the words, "and all territory under the sovereignty and subject to the jurisdiction of the United States?"

If the sacrilegious suspicion were harbored that the Constitution in all its parts would navigate just as far and just as well without this formula, one would be impelled to pause and inquire, Why this mummery? Could it be possible for any person to answer that (for political reasons, perhaps) there might be a more or less cunning purpose to put upon the Constitution, by means of these words, a construction to the effect that it was necessary to give wings to the sixteenth amendment, the Constitution up to and including the fifteenth amendment, as in and by this sixteenth amendment authoritively declared must be wingless. If our brethren of the committee really believe that the Constitution can not get or operate beyond State lines, except it be "extended" by Congress, still why this extension by Constitutional amendment of the amendment by which the extension is made, and nothing else? Can this marvelous precaution and discrimination be traced to a conviction or an apprehension that there may be "territory under the sovereignty and subject to the jurisdiction of the United States," to which Congress would not be willing to "extend" even so much of the Constitution as may be embodied in the sixteenth amendment?

Now, we believe that Congress has no power over the Constitution, but that the Constitution is all powerful over Congress. We believe that Congress can not free itself for a moment from constitutional restraints, and that wherever and however Congressional energy may be displayed, the guardian Constitution must be present and controlling. We believe that Congress can not "extend" the Constitution or restrain the Constitution, but that the Constitution, as the superior and controlling force, must ever restrain Congress and mark the bounds beyond which it can not go. Entertaining these views, of course we are not willing to put into the Constitution a provision which would give color to a modern political reading of our supreme law, for the purpose of sanctioning the establishment and perpetuity, under our flag, of the British colonial system, so abhorrent to the fathers who, having freed themselves from the tyranny of that system, made our great Constitution as the best means of securing liberty and republican institutions for themselves and their descendants until time shall be no more.

The long report by which the deliverance of the committee is supported is filled with arguments for Federal control of trusts and of all the corporations and combinations in which they live, move, and have their being. State rights are spoken of lightly, and yet here and there through the report we find the assurance, in words, that the proposed amendment will not take from the States anything but the power to make laws in conflict with the Federal statutes.

Now our belief, drawn from the Constitution itself, has been and still is that even now the Constitution and the laws made in pursuance thereof are controlling over State legislation. If this old and widely desseminated view be correct, there does not appear to be much occasion for specification, in the report, as to the preservation of the powers of the States. And we submit that something might be said for State rights. Local self-government rests upon State rights. Through State rights the people manage their own home affairs in their own way, each locality providing for its welfare according to its wants and condition. But State rights need not be involved in the discussion, and we leave them for consideration at a more convenient season.

The proposed amendment would take power from the States and lodge it in Congress, with the proviso that if the States could find something left when all had been taken away they might make use of what they might find where there remains nothing to be found.

Experience has shown conclusively that the devices of the trust are almost infinite, its resources unbounded, and the talent at its service the highest that money can buy. Some of this talent is employed in sleepless effort to circumvent the lawmakers, and to corrupt, terrorize, weaken, and destroy all who happen in the way of trust schemes. The trust has become a great factor in politics, and how many honest voters are overborne by it no one could state with accuracy, but certainly the total is appalling.

Men and parties put into power and kept there by trust money and trickery may not unnaturally continue to prove subservient to the trust and neglectful of popular rights. Then, why is it not well, if the Constitution is to be amended, to make sure that the people may meet and overcome their powerful enemy in whatever field he may appear, provided always that they can elect to Congress and to the State legislatures enough men who will regard them more highly than the trust? Give the Congress full control over trusts and deprive the States of control, and then the trust has but to control Congress, or, failing in that, to take refuge under the State made powerless to deal with it, and safety and the continued prosperity of condoned robbery are secured to it.

But if all the power of the nation as well as all the power of each State may be directed against the trust, we may, let us hope, be able to cope with the giant and dispose of the monster as the good of the people shall require.

DAVID A. DE ARMOND.
S. W. T. LANHAM.
WM. H. FLEMING.
W. L. TERRY.
WM. ELLIOTT.
HENRY D. CLAYTON.
D. H. SMITH.

The SPEAKER. The gentleman from Arkansas has six minutes remaining.

Mr. TERRY. I yield that time to the gentleman from Massachusetts [Mr. McCALL]. [Applause on the Democratic side.]

Mr. McCALL. Mr. Speaker, I do not desire all of the time

which has been accorded me. I think it was understood that the gentleman from New York [Mr. CUMMINGS] was to have a portion of it, and so I will not consume all of it, and what I do not use I will yield back to the gentleman from Arkansas [Mr. TERRY].

Mr. Speaker, with regard to the two propositions pending before the House, I intend to vote in favor of the bill which Congress has the power to enact, and which will immediately have effect, and I intend also to vote against this proposed amendment to the Constitution which at the most will keep the word of promise to the ear, but break it to the hope. [Applause on the Democratic side.]

I shall occupy the very few minutes that I have through the courtesy of the gentleman from Arkansas in stating the reasons which influence my vote against this amendment.

Let us not deceive ourselves about this proposition. This amendment is not simply aimed at trusts and monopolies, but it has application to every form of individual combination, and in my judgment it confers upon Congress the power to strike a most deadly blow at individual liberty. [Applause.] Just consider for a moment the phraseology of the second section. It seems to me there can be no doubt that it covers almost the entire field of business and production. That section declares that Congress shall have the power to define, regulate, prohibit, and dissolve trusts, monopolies, or combinations, whether existing in the form of corporations or otherwise.

If two blacksmiths or two tailors combine together in their trades, or if two owners each of $10 unite their capital in a common venture, that clearly is a combination. That is within one of the primary meanings of the word, and if there is any doubt about it, there is this singular provision in this amendment that Congress shall have the power to "define" what a combination is; and if it declares anything to be a combination and uses the term in any sense in which it has ever been fairly employed, that will be held to be a combination. So that this amendment involves practical control of all the capital of the country; it involves control of all the labor organizations of the country, and of any copartnership or union of two or more men for any business purpose whatever.

Now, the wealth of this country to-day is nearly $90,000,000,000, most of it in some form of combination or other. And then there is that far more magical and potent capital which is found in the brains and bodies of our people, and we propose, and it seems to me it is an amazing proposition, to confer upon the Congress of the United States full and complete jurisdiction over all these productive energies. Even with these enormous interests dealt with in forty-five different capitals and dissipated and scattered throughout the country, they are yet strong enough too often to break down the resistance of human nature and produce corruption. And what will be the effect if we concentrate upon one body of men more than one-third of all the capital of the world and all these other tremendous influences?

Why, Mr. Speaker, is there a gentleman here who does not believe in his heart that if this power is conferred upon Congress the most corrupt, the rottenest place in the universe will be found right here in the city of Washington? [Applause on the Democratic side.] Mr. Speaker, it will be time enough to talk about constitutional amendments when we shall have employed all those weapons against trusts that now exist in our constitutional armory. [Applause.] I think we are bound to use our best judgment in a matter of this importance; I think that we who begin the process of amending the Constitution are just as much charged with responsibility as they who end it, and even more, because, having cast our votes for it, there goes with our votes the influence of our example. I find myself, therefore, unable to consent to put in our organic law this proposed amendment, which, if finally adopted, would, it seems to me, have the effect of ultimately overturning free institutions in this country. [Applause on the Democratic side.]

Mr. TERRY. I yield to the gentleman from New York [Mr. CUMMINGS] the remainder of my time.

The SPEAKER. There is no time left to the gentleman from Arkansas.

Mr. CUMMINGS. I ask unanimous consent for the indulgence of the House for one minute.

The SPEAKER. The gentleman from New York asks the indulgence of the House for one minute. Is there objection?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I trust I am old enough in political life to know a wolf in sheep's clothing. [Applause on the Democratic side.] There is one here more ravenous than the one that attacked the child of Llewellyn. Under the guise of an effort to destroy the trusts this is really a measure drawn in their interests. [Applause on the Democratic side.] It is being used to tide over a Presidential election. The House will pass it, and the Senate lay it away until after the election. I know that William J. Bryan is alleged to have advocated a constitutional amendment to down the trusts, but this in its terms no more resembles his than a deck of cards resembles a Bible. [Laughter.] I would as soon drink a cocktail made out of nitric acid under the guise of a soda cocktail as to vote for this resolution. [Laughter.] No man in his right senses, it appears to me, can eat asafetida and fancy it molasses candy. I stand by the action of the Democratic caucus. [Prolonged applause on the Democratic side.]

Mr. RAY of New York. Mr. Speaker, we have just heard again from Tammany Hall. Last night we heard from that same organization, and I then had read from the Clerk's desk and put in the RECORD, or handed to the Reporters to be put in the RECORD, an article from the Evening Star. This morning my remarks made at the time and the article read did not appear, and I ascertained that a representative of this same organization had abstracted it from the custody of the Reporters and had it in his possession. A short time since I gave notice, and it was returned. I now send it again to the Clerk's desk and ask to have it again read and ask to have the Reporters see to it that it goes where it belongs.

Mr. RICHARDSON. I think the gentleman ought to give us the name when he talks about "abstracting."

Mr. RAY of New York. If you want the name, I will give it to you.

Mr. SULZER. I will answer you if you refer to me.

Mr. RAY of New York. The gentleman from New York, Mr. SULZER. [Loud applause on the Republican side.]

Mr. SULZER. I will answer you now and deny what you say.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Evening Star, Washington, May 30, 1900—

Mr. SULZER. Mr. Speaker——

The SPEAKER. The gentleman is out of order.

The Clerk continued to read, as follows:

TRUSTS AND POLITICS.

The difficulty in the way of making trusts a partisan question for this year's campaign purposes has just been illustrated in a very pointed way in New York.

A Mr. Coler, a recent graduate into local politics from a Brooklyn counting-room, had evolved a plan for dealing with the trust evil, and had secured some approval of it. Chairman JONES, of the Democratic national committee, to whom it had been submitted, had spoken favorably of it, and David B. Hill, it was understood, had been so much impressed that he had consented to its incorporation into the New York State platform. In turn it was then to be presented at Kansas City and made a part of the Democratic national platform. It really looked as if one difficult feature of the situation had been disposed of.

But at this time—a most unfortunate time—came the disclosures in the case of the New York ice trust. If ever there was a trust that is one. It is a monopoly; it controls prices, and it exercises its power to grind the people. Upon the approach of summer it puts up prices on an article absolutely necessary to health and comfort in a crowded city 100 per cent. A published list of stockholders shows that a number of prominent Tammany officeholders are interested, and the record also shows that this trust enjoys valuable privileges at the water front of the city which looks suspiciously like favoritism.

Of course, if there is anything of value in Mr. Coler's remedy it is not impaired on general principles by this disclosure. A trust is a trust, no matter its origin, its officers, its beneficiaries, or what not; and where it is operated against the rights and interests of the public it should be suppressed. That is plain, and it likewise is the general demand. But the proposition of Mr. Coler and his party friends is that trusts are not only an outcome of Republican policies, but that Republicans alone are in league with them and are benefiting by them. Relief, as they insist, can only come through Democratic agencies. If the people would throw off this shackle and enjoy the blessings of unrestrained trade among themselves they must bring in Mr. Bryan and all that he stands for.

And yet here is a trust which certainly can not be traced to the protective tariff, and is operated largely for the benefit of leading Democrats of Mr. Coler's own locality. Trusts as a party shibboleth will hardly deceive the people.

Mr. RAY of New York. Mr. Speaker, I yield——

Mr. SULZER. Mr. Speaker, I rise to a question of personal privilege.

Mr. RAY of New York. I yield the balance of the time——

Mr. SULZER. Mr. Speaker, I rise to a question of personal privilege.

Mr. RAY of New York (continuing). To the gentleman from Maine [Mr. LITTLEFIELD].

Mr. SULZER. Mr. Speaker, I rise to a question of privilege. The gentleman from New York——

The SPEAKER. Wait a moment. The gentleman will state his question of personal privilege.

Mr. SULZER. My question of personal privilege is this: The gentleman from New York can not make an assault on me without having me repel it. I demand an opportunity to deny his charge. He says that I abstracted——

Mr. RAY of New York. Now, Mr. Speaker, I raise——

Mr. SULZER. He says that I abstracted that newspaper article from the RECORD. I deny it. He knows I did not do it, and he knows when he said that that he told an untruth. [Loud applause on the Democratic side.]

Mr. RAY of New York. I stand by what I said.

Mr. SULZER. I had a debate last night with the gentleman from New York——

Mr. RAY of New York. I insist——

Mr. SULZER. After the debate was over the reporters handed

me the notes. It was late and I did not look over the notes last night, and the messenger who collects them was not notified and did not come to my house. I brought them here this morning and gave them to the reporter just as I received them, and the gentleman knows it; and when he makes that mean, contemptible, insinuating charge, I repel it, and characterize it as it ought to be characterized.

I say that no one on the floor of the House except a trust agent, such as he is, a tool, a machine man, an automaton, would make that kind of a statement. [Loud applause on the Democratic side.]

The SPEAKER. The gentleman will suspend. The gentleman from New York is recognized.

Mr. RAY of New York. The gentleman from New York who has just taken his seat knows, and the Democratic side of this House knows, that I sent the Reporters to that gentleman repeatedly this morning to get the article, and they failed to get it until after hours of effort I rose upon this floor and threatened to bring the matter to the attention of this House.

Mr. SULZER. Tell me——

Mr. RAY of New York. I yield the rest of the time on our side until 5 o'clock to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. SULZER. You refuse to let me be heard. You answer whether you are a trust agent or not?

The SPEAKER. The gentleman will be in order. The Sergeant-at-Arms will take charge of the gentleman if he speaks again. The Chair indulged the gentleman to make a statement, and he must now suspend.

[Mr. LITTLEFIELD addressed the House. See Appendix.]

The SPEAKER. The question is on agreeing to the amendments offered by the committee. Is there a separate vote demanded?

Mr. TERRY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas will state it.

Mr. TERRY. Is it in order to offer any amendment or a substitute for the joint resolution?

The SPEAKER. It is not under the rule adopted by the House. Is a separate vote demanded on any of the committee amendments? If not, the Chair will submit them in gross.

The question was taken; and the committee amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time; and it was read the third time.

The SPEAKER. The question now is on agreeing to the joint resolution.

Mr. RAY of New York. On that, Mr. Speaker, I ask for the yeas and nays.

The question was taken; and there were—yeas 154, nays 132, answered "present" 11, not voting 56; as follows:

YEAS—154.

Adams,	Dick,	Knox,	Reeves,
Aldrich,	Dolliver,	Lacey,	Roberts,
Alexander,	Eddy,	Lane,	Rodenberg,
Allen, Me.	Emerson,	Lawrence,	Russell,
Babcock.	Esch,	Littlefield,	Scudder,
Bailey, Kans.	Faris,	Long,	Shattuc,
Baker,	Fletcher,	Lorimer,	Shelden,
Barney,	Foss,	Loudenslager,	Sherman,
Bartholdt,	Fowler,	Lovering.	Showalter,
Bingham,	Freer,	Lybrand,	Sibley,
Bishop,	Gardner, Mich.	McCleary,	Smith, H. C.
Boreing,	Gardner, N. J.	McPherson,	Smith, Samuel W.
Boutell, Ill.	Gibson,	Marsh,	Spalding,
Bowersock,	Gill,	Mercer,	Sperry,
Brick,	Gillet, N. Y.	Mesick,	Steele,
Brosius,	Gillett, Mass.	Metcalf,	Stevens, Minn.
Brown,	Graff,	Miller,	Stewart, N. Y.
Burke, S. Dak.	Graham,	Minor,	Stewart, Wis.
Burkett,	Greene, Mass.	Mondell,	Sulloway,
Burleigh,	Grosvenor,	Moody, Mass.	Tawney,
Burton,	Grout,	Moody, Oreg.	Tayler, Ohio
Butler,	Hamilton,	Morgan,	Thayer,
Calderhead,	Haugen,	Mudd,	Thomas, Iowa
Campbell,	Hawley,	Naphen,	Thropp,
Cannon,	Heatwole,	Needham,	Tongue,
Clarke, N. H.	Hedge,	Newlands,	Van Voorhis,
Cochrane, N. Y.	Hemenway,	O'Grady,	Wachter,
Connell,	Henry, Conn.	Olmsted,	Wadsworth,
Cooper, Wis.	Hepburn,	Otjen,	Wanger,
Corliss,	Hill,	Overstreet,	Warner,
Cousins,	Hitt,	Parker, N. J.	Waters,
Cromer,	Hoffecker,	Payne,	Watson,
Crumpacker,	Howell,	Pearce, Mo.	Weeks,
Curtis,	Hull,	Pearre,	Wise,
Cushman,	Jack,	Phillips,	Wright,
Dahle, Wis.	Jones, Wash.	Prince,	Young,
Dalzell,	Joy,	Pugh,	The Speaker.
Davenport, S. A.	Kahn,	Ray, N. Y.	
Davidson,	Ketcham,	Reeder,	

NAYS—132.

Adamson,	De Vries,	Lanham,	Rixey,
Allen, Ky.	Denny,	Lassiter,	Robinson, Ind.
Bailey, Tex.	Dinsmore,	Latimer,	Robinson, Nebr.
Ball,	Dougherty,	Lentz,	Rucker.
Barber,	Driggs,	Lester,	Ryan, N. Y.
Bartlett,	Elliott,	Levy,	Shafroth.
Bell,	Finley,	Lewis,	Sheppard,
Bellamy,	Fitzgerald, Mass.	Little,	Sims,
Benton,	Fitzgerald, N. Y.	Livingston,	Smith, Ky.
Bradley,	Fitzpatrick,	Lloyd,	Snodgrass,
Brantley,	Fleming,	Loud,	Spight,
Breazeale,	Foster,	McCall,	Stallings,
Brenner,	Gaines,	McClellan,	Stark,
Brewer,	Gaston,	McLain,	Stephens, Tex.
Brundidge,	Gilbert,	McRae,	Stokes,
Burleson,	Glynn,	Maddox,	Sulzer,
Burnett,	Gordon.	May,	Sutherland,
Caldwell,	Green, Pa.	Meekison,	Swanson,
Chanler,	Griffith,	Meyer, La.	Talbert,
Clark, Mo.	Griggs,	Miers, Ind.	Tate,
Clayton, Ala.	Hall,	Moon,	Taylor, Ala.
Clayton, N. Y.	Hay,	Muller,	Terry,
Cochran, Mo.	Henry, Miss.	Neville,	Thomas, N. C.
Cooney,	Henry, Tex.	Noonan,	Underhill,
Cooper, Tex.	Howard,	Otey,	Underwood,
Cowherd,	Jett,	Pierce, Tenn.	Wheeler, Ky.
Cox,	Johnston,	Quarles,	Williams, J. R.
Crowley,	Jones, Va.	Ransdell,	Williams, W. E.
Cummings,	King,	Rhea, Ky.	Williams, Miss.
Davenport, S. W.	Kitchin,	Rhea, Va.	Wilson, Idaho
Davis,	Kleberg,	Richardson,	Wilson, N. Y.
De Armond,	Kluttz,	Ridgely,	Zenor,
De Graffenreid,	Lamb,	Riordan,	Ziegler.

ANSWERED "PRESENT"—11.

Bankhead,	Capron,	Mann,	Southard,
Bromwell,	Grow,	Morris,	Wilson, S. C.
Brownlow,	Linney,	Packer, Pa.	

NOT VOTING—56.

Acheson,	Davey,	McCulloch,	Slayden,
Allen, Miss.	Dayton,	McDowell,	Small,
Atwater,	Dovener,	Mahon,	Smith, Ill.
Barham,	Driscoll,	Norton, Ohio	Smith, Wm. Alden
Berry,	Fordney,	Norton, S. C.	Sparkman,
Boutelle, Me.	Fox,	Pearson,	Sprague,
Broussard,	Gamble,	Polk,	Stewart, N. J.
Bull,	Gayle,	Powers,	Tompkins,
Burke, Tex.	Hopkins,	Robb,	Turner,
Carmack,	Jenkins,	Robertson, La.	Vandiver,
Catchings,	Kerr,	Ruppert,	Vreeland,
Crump,	Landis,	Ryan, Pa.	Weaver,
Cusack,	Littauer,	Salmon,	Weymouth,
Daly, N. J.	McAleer,	Shackleford,	White.

So (two-thirds not having voted in favor thereof) the joint resolution was not agreed to.

The following pairs were announced:

Until further notice:

Mr. CAPRON with Mr. SLAYDEN.

Mr. BARHAM with Mr. TURNER.

Mr. CRUMP with Mr. ATWATER.

Mr. MORRIS with Mr. MCCULLOCH.

Mr. STEWART of New Jersey with Mr. MCALEER.

Mr. SOUTHARD with Mr. NORTON of Ohio.

Mr. VREELAND with Mr. ROBERTSON of Louisiana.

Mr. BROWNLOW with Mr. CARMACK.

Mr. POWERS with Mr. BANKHEAD.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. DOVENER with Mr. CATCHINGS.

Mr. HOPKINS with Mr. CUSACK.

Mr. LINNEY with Mr. ROBB.

Mr. LITTAUER with Mr. RUPPERT.

Mr. WEAVER with Mr. NORTON of South Carolina.

Mr. SMITH of Illinois with Mr. RYAN of Pennsylvania.

Mr. BULL with Mr. BURKE of Texas.

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.

Mr. BROMWELL with Mr. MCDOWELL.

Mr. PACKER of Pennsylvania with Mr. POLK.

For this day:

Mr. DAYTON with Mr. DAVEY.

Mr. FORDNEY with Mr. VANDIVER.

Mr. SPRAGUE with Mr. GAYLE.

Mr. PEARSON with Mr. SALMON.

Mr. GAMBLE with Mr. SPARKMAN.

Mr. TOMPKINS with Mr. FOX.

Mr. JENKINS with Mr. SMALL.

Mr. ACHESON with Mr. ALLEN of Mississippi.

Mr. KERR with Mr. BERRY.

On this vote:

Mr. MAHON with Mr. MANN.

Mr. DALY of New Jersey with Mr. SHACKLEFORD.

Mr. BROMWELL. I wish to inquire whether the gentleman from Ohio, Mr. MCDOWELL, voted?

The SPEAKER. He did not.

Mr. BROMWELL. I have a general pair with him. As I have voted, I ask to withdraw my vote and be marked "present."

Mr. SOUTHARD. I voted "aye," but finding I am paired with my colleague, Mr. NORTON of Ohio, I desire to withdraw my vote.

Mr. PEARCE of Missouri. I was paired with the gentleman from Missouri, Mr. VANDIVER; but that pair was transferred to the gentleman from Ohio, Mr. MORGAN. I am now marked "present," but I desire to be recorded in the affirmative.

Mr. MORRIS. I am paired with the gentleman from Arkansas, Mr. MCCULLOCH; therefore I desire to withdraw my vote and be marked "present."

Mr. CORLISS. My colleague, Mr. WM. ALDEN SMITH, has telegraphed to me that he is unable to be present and is paired. He desires me to state that if present, he would vote "aye."

Mr. BANKHEAD. I am paired with the gentleman from Vermont, Mr. POWERS. I therefore wish to withdraw my vote and be recorded "present." If the gentleman from Vermont were here, I would vote "no."

Mr. CAPRON. In the absence of the gentleman from Texas, Mr. SLAYDEN, with whom I am paired, I desire to withdraw my vote and be marked "present."

Mr. LINNEY. I voted under a misapprehension. I now recall the fact that I am paired with the gentleman from Missouri, Mr. ROBB. I withdraw my vote and ask to be marked "present."

The name of the Speaker was called by his direction; and he voted in the affirmative.

Mr. ROBINSON of Indiana. At the proper time I desire a recapitulation of this vote.

The SPEAKER. The Chair thinks a recapitulation is unnecessary as the vote is not a close one. On this question the yeas are 154, the nays 133; answering present 10. Two-thirds not having voted in the affirmative, the resolution is disagreed to. [Applause on the Democratic side].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 852. An act granting an increase of pension to James Cooper;

H. R. 538. An act granting an increase of pension to Charles F. Winch;

H. R. 1570. An act granting a pension to Susie Margarite Landrum;

H. R. 1748. An act granting a pension to Ellen V. McCleery;

H. R. 1797. An act granting a pension to Jane Lucas;

H. R. 1801. An act granting an increase of pension to Elijah Biddle;

H. R. 2020. An act granting a pension to Clarrissa Carruth;

H. R. 2126. An act granting an increase of pension to William H. Capehart;

H. R. 2726. An act granting a pension to James A. Root;

H. R. 3082. An act granting an increase of pension to Joseph H. Sparks;

H. R. 3495. An act granting an increase of pension to Levi G. Wilgus;

H. R. 3513. An act granting a pension to Edwin Hurlburt;

H. R. 3869. An act granting a pension to Joseph H. Hamrick;

H. R. 4424. An act granting a pension to Isaac N. Jennings;

H. R. 5192. An act granting a pension to Louise Adams;

H. R. 5549. An act granting an increase of pension to David H. Ingerson;

H. R. 5695. An act granting a pension to Matilda Reeves;

H. R. 5929. An act granting an increase of pension to Barton Acuff;

H. R. 6164. An act granting a pension to Julia Traynor;

H. R. 6091. An act granting a pension to Mary A. Fullerton;

H. R. 6352. An act granting a pension to Lizzie B. Leitch;

H. R. 6425. An act granting an increase of pension to William H. Wendell;

H. R. 6559. An act granting an increase of pension to Genevieve Laighton;

H. R. 6564. An act granting a pension to Anna M. Starr;

H. R. 6919. An act granting an increase of pension to John Blanchard;

H. R. 6990. An act granting a pension to Patrick O'Donnell;

H. R. 7145. An act granting a pension to Catharine Slayton;

H. R. 7186. An act granting an increase of pension to Sylvester Doss, alias Harry S. Doss;

H. R. 7588. An act granting a pension to Robert Patterson;

H. R. 7852. An act granting an increase of pension to Oliver M. Brown;

H. R. 8044. An act granting an increase of pension to James M. Barrett;

H. R. 8211. An act granting an increase of pension to William Shulmire;

H. R. 8235. An act granting an increase of pension to Daniel Metcalf;

H. R. 8236. An act granting an increase of pension to James M. Dennison;

H. R. 8404. An act granting an increase of pension to Timothy A. Lewis;

H. R. 8476. An act granting a pension to Christopher Costello;

H. R. 8536. An act granting an increase of pension to Robert Anderson, jr.;

H. R. 8592. An act granting a pension to Elizabeth J. Fields;

H. R. 9424. An act granting an increase of pension to George Cronk;

H. R. 9419. An act granting a pension to Henrietta P. Cotter;

H. R. 9236. An act granting an increase of pension to Herman S. Soules;

H. R. 9194. An act granting a pension to Sarah C. Upham;

H. R. 9175. An act granting an increase of pension to Stella B. Armstrong;

H. R. 8992. An act granting a pension to Margaret J. Kibble;

H. R. 8888. An act granting an increase of pension to Henry O'Connor;

H. R. 8885. An act granting an increase of pension to Sara H. M. Miley;

H. R. 9752. An act granting a pension to Margaret Thornberry;

H. R. 9775. An act granting an increase of pension to William A. Hempstead;

H. R. 9826. An act granting an increase of pension to Russell Moore;

H. R. 9915. An act granting a pension to Madison T. Trent;

H. R. 10412. An act granting an increase of pension to George B. Abbott;

H. R. 10443. An act granting a pension to Anna C. White;

H. R. 10455. An act granting an increase of pension to Bertha C. Kimball;

H. R. 10581. An act granting a pension to Joseph B. McGahan;

H. R. 9740. An act granting a pension to Sophia A. Lane;

H. R. 10612. An act granting an increase of pension to Richard Harden;

H. R. 10719. An act granting an increase of pension to Elizabeth S. Seymour; and

H. R. 10870. An act granting a pension to Herbert J. Graff.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 9083) to authorize the Commissioner of the General Land Office to dispose of Choctaw orphan Indian lands in Mississippi, and to make appropriation for executing act of Congress approved June 28, 1898.

A further message from the Senate, by Mr. BENNETT, its Secretary, 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. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, and had still further insisted upon its amendments Nos. 50, 51, 52, and 53, disagreed to by the House of Representatives, had further disagreed to the amendments of the House to the amendments of the Senate numbered 9 and 58, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. TILLMAN as the conferees on the part of the Senate.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to its proper committee as indicated below:

Senate concurrent resolution 62:

Resolved by the Senate (the House of Representatives concurring), That of each of the remaining volumes of the Philippine Commission's report there shall be printed and bound 1,500 copies of each for the use of the Philippine Commission;

That, for the special use of the Department of State, there be printed of the full report 200 copies on 70-pound paper and bound in half moroco, and 500 copies of the second and subsequent volumes, to be bound in brown cloth, uniform with the first volume, for distribution by the Department of State.

That of the supplement to the commission's report there be printed, for the use of the Department of State, 1,500 copies in royal octavo and bound in half morocco: *Provided*, That the printing and binding of the report of the Philippine Commission, under the concurrent resolution of February 23, 1900, shall not include this supplement—

to the Committee on Printing.

ADDITIONAL MESSENGER, CLERKS, ETC.

Mr. JOY, on behalf of the Committee on Accounts, called up for consideration the following privileged resolutions; which were respectively read, considered, and agreed to:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he hereby is, authorized to appoint two additional clerks to said committee for the remainder of the session, to be paid out of the contingent fund of the House at the rate of $6 per day.

Resolved, That the Clerk of the House of Representatives be authorized and empowered to employ for the remainder of the session two bicycle messengers for day and night service between the enrolling room of the Clerk's office and the Government Printing Office, to be paid each out of the contingent fund of the House of Representatives, at $5 per day.

R. C. KILMARTIN.

Mr. JOY also called up, on behalf of the Committee on Accounts, a resolution, which was read as follows:

Resolved, That the Clerk of the House of Representatives be, and is hereby, directed to pay, out of the contingent fund of the House, to R. C. Kilmartin, the sum of $266.67, being the amount due him as clerk of the late Sydney P. Epes, and from the death of said Epes to the election of Hon. FRANCIS R. LASSITER.

The amendments proposed by the committee were read, making the resolution read as follows:

Resolved, That the Clerk of the House of Representatives be, and is hereby, directed to pay out of the contingent fund of the House to R. C. Kilmartin the sum of $106.45, being the amount due him as clerk of the late Representative Sydney P. Epes.

The amendments were agreed to, and the resolution as amended was adopted.

EVENING SESSION FOR INDIAN BILLS.

Mr. SHERMAN. I ask unanimous consent for the adoption of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the House now take a recess until 8 o'clock p. m., and that the evening session be devoted to the consideration of the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and also the bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; and that when said bills are disposed of the House shall adjourn, but not later than 10.30 p. m.; no other business being in order.

The SPEAKER. Is there objection?

Mr. RICHARDSON. I wish to inquire whether this resolution is presented with the unanimous approval of the Committee on Indian Affairs?

Mr. SHERMAN. It is; and the bills are backed up by the Interior Department.

Mr. KITCHIN. A parliamentary inquiry. If the resolution be adopted, can any business except that mentioned in the resolution be transacted to-night?

The SPEAKER. Only by unanimous consent.

Mr. GROSVENOR. Can it be done by unanimous consent, in spite of the agreement of the House, as stated in the resolution, that only those two bills should be considered to-night?

The SPEAKER. The House can do by unanimous consent whatever it pleases.

Mr. SHERMAN. Mr. Speaker, I desire to say——

Mr. RICHARDSON. The resolution distinctly states that nothing else shall be done, and it is upon that condition that the House consents.

The SPEAKER. But the House this evening could change that arrangement, if it desires, by unanimous consent.

Mr. BAILEY of Texas. Mr. Speaker, I desire to ask the chairman of the Committee on Indian Affairs if this embodies the proposition to deny to these Cherokee Indians the right to their mineral lands?

Mr. SHERMAN. I will yield to the gentleman from Arkansas [Mr. LITTLE], who I see is on his feet, to answer that question.

Mr. LITTLE. I will say to the gentleman from Texas that this amendment was added to the bill, but I think I am able to say to the gentleman that it never will be adopted.

Mr. STEELE. Mr. Speaker, I object.

Mr. BAILEY of Texas. I hope the gentleman from Indiana will not object. My mail is burdened with appeals from people down in that country asking for some settlement of this matter.

Mr. STEELE. On the appeal of the gentleman from Texas I withdraw the objection.

Mr. GROSVENOR. Mr. Speaker, unless it can be distinctly understood that no other business can be transacted, this consent will not be given.

Mr. SHERMAN. I will give my word to the House that I will be present and will object to the consideration of any other business except these two bills.

The SPEAKER. It can be easily arranged, if it is understood that the Speaker pro tempore for the evening shall not recognize any other business or any request for unanimous consent. That will settle the matter.

Mr. SHERMAN. I will say that I will object to unanimous consent to consider any other matter save these two bills.

Mr. GROSVENOR. That is satisfactory to me.

Mr. CANNON. Mr. Speaker, I should like to ask the gentleman a question. This is legislation to carry out what is known as the Dawes Commission work?

Mr. SHERMAN. Certainly; this is to complete their work. The other tribes have entered into a treaty heretofore. This is to conclude a treaty with the remaining two tribes.

Mr. CANNON. Does this create any obligation on the Government?

Mr. SHERMAN. No further obligations than the law provides now. The Dawes Commission has already been appropriated for in the Indian appropriation bill.

Mr. CANNON. That is for the mere expenses of the commission.

Mr. SHERMAN. That is all.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER announced the appointment of Mr. CLARKE of New Hampshire to act as Speaker pro tempore at the evening session.

ENROLLED BILLS SIGNED.

The SPEAKER. The Chair lays before the House a report from the Committee on Enrolled Bills.

Mr. RICHARDSON. I ask unanimous consent that the list be printed in the RECORD. It is very long, and I do not think it is necessary to read it.

The SPEAKER. Without objection, upon the request of the gentleman from Tennessee, the reading of the titles of the bills will be dispensed with, and they will be published in the RECORD.

There was no objection.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles:

H. R. 6230. An act for the relief of Robert Smalls;

H. R. 4118. An act granting an increase of pension to Enos H. Kirk; and

H. R. 11283. An act to establish Calais, in the State of Maine, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the ports of Eastport and Calais, in the State of Maine.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 28. An act to remove the charge of desertion from the military record of James H. Waters;

S. 3047. An act granting an increase of pension to William Mullevy;

S. 756. An act granting a pension to Lydia F. Wiley;

S. 258. An act granting an increase of pension to Coryden Bevans;

S. 410. An act granting an increase of pension to Harriet V. Gridley;

S. 163. An act granting an increase of pension to Dwight D. Wilber;

S. 1207. An act granting an increase of pension to Levi Chandler;

S. 847. An act granting an increase of pension to James B. Logan;

S. 1552. An act granting an increase of pension to Helen L. Dent;

S. 3183. An act granting a pension to George W. Newell;

S. 825. An act granting an increase of pension to Joseph B. Coons;

S. 3082. An act granting a pension to Elizabeth F. Wolfley;

S. 3154. An act granting an increase of pension to Kate Cadwell;

S. 1441. An act granting an increase of pension to James G. Hartzell;

S. 1364. An act granting on increase of pension to Henry H. Blockson;

S. 1274. An act granting an increase of pension to Augustus C. Pyle;

S. 3234. An act granting an increase of pension to Mary Yowell;

S. 3268. An act granting an increase of pension to Elisha F. Barton;

S. 2008. An act granting a pension to Flavel H. Van Eaton;

S. 2101. An act granting an increase of pension to George E. Scott;

S. 2020. An act granting a pension to Sarah E. Fortier;

S. 2142. An act for the relief of Anna Whitney Tarbell;

S. 1831. An act granting an increase of pension to Henry H. Lewis;

S. 1901. An act granting a pension to Elvira Hunter;

S. 1907. An act granting an increase of pension to Rebecca Paulding Meade;

S. 1919. An act granting a pension to Consolacion Victoria Kirkland;

S. 3277. An act granting an increase of pension to Solon Cooper;

S. 3289. An act granting a pension to Isabella Underwood;

S. 3293. An act granting an increase of pension to Helen Harlow;

S. 1551. An act granting a pension to John G. B. Masters;

S. 1553. An act granting an increase of pension to Samantha Barnes;

S. 1569. An act granting a pension to Phebe E. C. Priestly;

S. 1608. An act granting a pension to Eleanor R. Sullivan;

S. 1734. An act granting a pension to Mary S. Belding;

S. 1758. An act granting an increase of pension to Farnham J. Eastman;

S. 1776. An act granting a pension to John Carr;

S. 1822. An act granting an increase of pension to Isaac M. Shup;
S. 1548. An act granting an increase of pension to James Byrne;
S. 3058. An act granting an increase of pension to Harriet E. Meylert;
S. 61. An act granting a pension to George Bunce;
S. 78. An act granting a pension to Samuel W. Childs;
S. 103. An act granting an increase of pension to Charles Critzer;
S. 169. An act granting a pension to George E. Tuttle;
S. 306. An act granting an increase of pension to Warren L. Eaton;
S. 314. An act granting a pension to Rosa L. Couch;
S. 539. An act granting an increase of pension to Fielding L. Rutherford;
S. 716. An act granting a pension to Susan Buck;
S. 2938. An act granting an increase of pension to Joseph Longmire;
S. 2941. An act granting an increase of pension to Robert Gamble, jr.;
S. 3549. An act granting an increase of pension to William A. Keyes;
S. 3527. An act granting a pension to Edwin M. Farnham;
S. 3467. An act granting a pension to Hellen Lang;
S. 3418. An act granting an increase of pension to Eliza Adelaide Ball;
S. 3337. An act granting an increase of pension to Buren R. Sherman;
S. 3329. An act granting an increase of pension to Kate B. Warren;
S. 3314. An act granting a pension to Mary I. Bradbury;
S. 3300. An act granting an increase of pension to Luke H. Monson;
S. 3294. An act granting a pension to Louesa Moulton;
S. 4077. An act granting a pension to Frances Horton Force;
S. 4040. An act granting an increase of pension to Mary C. Gage;
S. 4007. An act granting an increase of pension to Bernard Dunn;
S. 4006. An act granting an increase of pension to Edward M. Tucker;
S. 3900. An act granting a pension to Sarah Clark;
S. 4215. An act granting a pension to Belle Bean;
S. 4087. An act granting an increase of pension to Ellen M. Mansur;
S. 4421. An act granting an increase of pension to Abert Brown;
S. 4716. An act granting an increase of pension to Robert G. Dyhrenfurth;
S. 1593. An act granting an increase of pension to Clara H. Inch;
S. 3662. An act granting an increase of pension to Louise D. Smith;
S. 1533. An act granting a pension to David Carroll;
S. 1460. An act granting a pension to Charles A. Hutchings;
S. 2203. An act granting an increase of pension to William Taylor;
S. 2215. An act granting an increase of pension to Robert J. Koonce;
S. 2276. An act granting an increase of pension to George W. Ragland;
S. 2280. An act granting a pension to Horatio N. Cornell;
S. 2286. An act granting an increase of pension to John W. Craig;
S. 2296. An act granting an increase of pension to John J. Sears;
S. 2483. An act granting an increase of pension to Lewis C. Beard;
S. 2451. An act granting a pension to Jennie P. Stoner;
S. 2539. An act granting an increase of pension to Milton H. Daniels;
S. 2550. An act granting an increase of pension to Charles W. Hobart;
S. 2651. An act granting a pension to Henry Hill;
S. 2795. An act granting an increase of pension to Christina Noll;
S. 2900. An act granting a pension to Hannah G. Huff;
S. 2931. An act granting an increase of pension to Michael Lochard;
S. 2962. An act granting an increase of pension to William Blades;
S. 2977. An act granting an increase of pension to Jacob P. Fletcher;
S. 2993. An act granting an increase of pension to Edward Madden;
S. 3788. An act granting an increase of pension to James Williams;
S. 3899. An act granting a pension to James Cook;
S. 3708. An act granting a pension to John H. Harrison;
S. 3634. An act granting a pension to Mary P. Hunter; and
S. 1975. An act granting an increase of pension to Annie D. M. Wood.

JOHN BENSON.

By unanimous consent, on motion of Mr. VAN VOORHIS, leave was granted to withdraw from the files of the House without leaving copies, the papers in the case of John Benson, Fifty-third Congress, no adverse report having been made thereon.

Mr. PAYNE. The regular order is to take a recess, under the consent given.

The SPEAKER pro tempore. In pursuance of the order recently made, the House will now stand in recess until 8 o'clock this evening.

Accordingly (at 5 o'clock and 35 minutes p. m.) the House took a recess until 8 p. m.

The recess having expired, the House, at 8 o'clock p. m. resumed its session, and was called to order by Mr. CLARKE of New Hampshire, as Speaker pro tempore.

AGREEMENT WITH CHEROKEE INDIANS.

Mr. SHERMAN. Mr. Speaker, under the special order I call up the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. SHERMAN. I ask the Clerk to read the bill by sections, Mr. Speaker.

Mr. LITTLE. Mr. Speaker, I want to make the suggestion that this bill has been most carefully considered, and I suggest that it is not necessary to read the bill, as it is quite long.

Mr. SHERMAN. I think it would be better to have the bill read.

The SPEAKER pro tempore. The Chair will state to the gentleman from New York that these bills are being considered in the House, and it is not absolutely necessary that the bills should be read through section by section. The reading of the bill can be dispensed with, and amendments can be offered to any part of the bill.

Mr. SHERMAN. Mr. Speaker, it seems to me wiser to read the bill through, and yet I do not insist upon it.

The SPEAKER pro tempore. The Chair makes that only as a suggestion.

Mr. SHERMAN. If the Chair desires that the other procedure should be followed, then I will suggest that we might first consider the amendment offered by the committee, and then, if it meets the approval of the House and the Chair, to consider amendments offered by any member of the House to any portion of the bill.

The SPEAKER pro tempore. That can be done in the absence of objection.

Mr. SHERMAN. Then, Mr. Speaker, I will ask the Clerk to read the amendments offered by the committee.

The following committee amendments were severally read, considered, and agreed to:

On page 5, line 9, strike out all after the work "thereof" down to and including the word "therefore," in line 17; and insert in lieu thereof the following words:

"And if he have lawful improvements upon such excess he may dispose of the same to any other citizen, who may thereupon select lands so as to include such improvements; but, after the expiration of said time, any citizen may take any lands not already selected by another; but if lands so taken be in actual cultivation, having thereon improvements belonging to another citizen, such improvements shall be valued by the appraisement committee, and the amount paid to the owner thereof by the allottee, and the same shall be a lien upon the rents and profits of the land until paid: *Provided*, That the owner of improvements may remove the same if he desires."

On page 12, in line 7, after the word "thereof," add the words "deducting therefrom such amount as may have been paid into the Cherokee national treasury for such right of occupancy."

On page 26, after the word "six," in line 2, add "subject to such future legislation as Congress may deem proper."

Beginning with the word "the," in line 8, page 30, strike out all words, including the first word "the," said page and line, down to and including the word "effect," in line 6, page 21.

The following committee amendment was read:

On page 34, after the word "tribes," add a new section, to be known as section 82, as follows:

"82. That the Secretary of the Interior is hereby authorized and directed from time to time to provide rules and regulations for the leasing of oil, gas, coal, asphalt, and other minerals on the unallotted and unsettled portion of the lands within the Cherokee country, and all such leases shall be made by the Secretary of the Interior; and any lease for any such minerals otherwise made shall be absolutely void."

No lease shall be made or renewed for a longer period than fifteen years, nor cover the mineral in more than 100 acres of land, which shall conform as nearly as possible to the surveys. Lessees shall pay on each oil, gas, coal, asphalt, or other mineral claim at the rate of $100 per annum, in advance, for the first and second years; $200 per annum, in advance, for the third and fourth years, and $500, in advance, for each succeeding year thereafter, as advanced royalty on the mine or claim on which they are made.

All such payments shall be a credit on royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all lessees must pay said annual advanced payments on each claim, whether developed or undeveloped; and should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance shall then become and be the money and property of the tribe.

Provided, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been assented to by act of Congress, but all such interest shall continue unimpaired hereby, and shall be assured to such holders or owners by leases from the Secretary of the Interior for the term not exceeding fifteen years, but subject to payment of advance royalties as herein provided, when such leases are not operated, to the rate of royalty on coal mined, and the rules and regulations to be prescribed by the Secretary of the Interior, and preference shall be given to such parties in renewals of such leases; but if said lease covers any land which has been selected or allotted, then the royalty for the part of said land so selected or allotted shall be paid to the person to whom the allotments have been made or to the person who has made the selection:

Provided further, That when under the customs and laws heretofore existing and prevailing in the Indian Territory leases have been made of different groups or parcels of oil, coal, asphalt, or other mineral deposits, and possession has been taken thereunder and improvements made for the development of such oil, coal, asphalt, or other mineral deposits, by lessees or their assigns, which have resulted in the production of oil, gas, coal, asphalt, or other mineral in commercial quantities by such lessees or their assigns, such leases are hereby approved for a period not to exceed fifteen years from the date of the lease, and for not more than 100 acres of land, and such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the Secretary of the Interior; and in making new leases due consideration shall be made for the improvements of such lessees, and in all cases of the leasing or renewal of leases of oil, coal, asphalt, and other mineral deposits preference shall be given to parties in possession who have made improvements.

The rate of royalty to be paid by all lessees shall be fixed by the Secretary of the Interior: *Provided*, That the royalty which shall become due under the terms of leases heretofore made or under new leases made under the provisions of this act shall be paid, if on unallotted or unselected lands, to the Cherokee Nation, but if on allotted or selected land, then the same shall be paid to the allottee or to the member of the tribe who has made the selection.

Provided further, That members of said tribes who have made selections, or to whom allotments have been made, may lease their selections or allotments for the development of oil, gas, coal, asphalt, or other minerals and receive the royalty for the same, but before operations shall be begun upon the lands owned or controlled by any person for the development of oil or gas the lessee or party operating shall pay to the allottee or owner of the said land the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements of said allottee or owner, the value to be ascertained under the direction of the Secretary of the Interior.

Provided further, That no lease provided for in this section shall be of force or effect until the consent of the allottee is obtained in writing and until the same is approved by the Secretary of the Interior, and in no case shall the lease provided for in this section interfere with allotments or cover the 40-acre homestead provided for in this bill, or in any case cover more land than is allotted to any one allottee, exclusive of his homestead.

Mr. LITTLE. I hope that amendment will not be agreed to. The matter covered in the amendment was not agreed to by the Indians interested, and is not wanted by any of the Departments of the Government. As the bill provides for segregating these lands and giving them to individuals, they ought not to go to them encumbered by general leases. They ought to take them free from any lease. Therefore I hope this amendment will be rejected. I believe the majority of the committee will agree with me that that ought to be done.

The amendment was rejected.

Mr. CURTIS. On page 11, line 22, I desire to offer an amendment.

The SPEAKER pro tempore. The amendment will be reported by the Clerk.

The Clerk read as follows:

Page 11, line 22, after the word "the," insert the word "peaceful."

The amendment was agreed to.

Mr. LITTLE. Mr. Speaker, I offer an amendment to come in after the word "purposes," in line 18, page 25.

The SPEAKER pro tempore. The amendment will be reported by the Clerk.

The Clerk read as follows:

After the word "purposes," line 18, page 25, insert:

"Until final allotment, when the same shall be subject to the provisions of section 60."

Mr. SHERMAN. I should be glad to have the gentleman explain that.

Mr. LITTLE. Mr. Speaker, in section 59 a large number of schools, with the lands adjoining, are reserved for school purposes. In the consideration of the bill the original supposition was that these were finally to be bought by the Government. That view was abandoned, and the object of this amendment is to permit the tribes, when their tribal relations cease, when their government is abandoned, to dispose of this property as provided in the next section. Section 60 reads as follows:

All other public buildings and other public property of whatsoever character belonging to the Cherokees not herein otherwise disposed of may be sold or otherwise disposed of by the nation, subject to the approval of the Secretary of the Interior.

This is simply to provide that when the nation ceases, they may dispose of this property. If they want to sell it to any government that succeeds that, it would be open for that purpose. They do not want their property reserved for public schools in which they may or may not have any interest. I think the amendment is right.

The amendment of Mr. LITTLE was agreed to.

Mr. STEPHENS of Texas. I have an amendment also.

The amendment was read, as follows:

Line 22, page 18, after the word "commission," add the following:

"*Provided*, That all persons having judgments of the court for the northern district of the Indian Territory, or having reports of special or general masters in chancery appointed by said court to make reports of the facts in citizenship cases, establishing Cherokee blood, and who are now residents of the Cherokee Nation, and their heirs, shall be enrolled by the commission.

Mr. CURTIS. I hope this amendment will not be agreed to.

Mr. SHERMAN. I would be glad if the gentleman from Texas would explain the effect of his amendment.

Mr. STEPHENS of Texas. Under the act of 1896, Mr. Speaker, the people had the right to seek enrollment through the courts of the country. A great many of them went to the trouble of hiring attorneys and went into the courts for the purpose of establishing their citizenship, as they had a perfect right to do.

After they had gone into the courts, the courts decided in their favor, and this first provision is that all persons having judgments of the courts for the northern district of the Indian Territory shall be entitled to enrollment. Now, people that have moved to the Indian Territory at the request of the Indians, having Indian blood in their veins, have applied to the courts for the purpose of being properly enrolled, so that they can share in the distribution of the tribal funds. They appealed to the courts, and these judgments are now standing in their favor.

For some reason or other none of their names have been put upon the rolls, and unless Congress relieve these people they will lose their share of the fund. The second class is where they have applied to the courts for an enrollment and proven to the satisfaction of a master in chancery, taking evidence and reporting to the court as they do in these Federal courts in the Territory, and these masters of chancery have reported that they have Indian blood in their veins, that they are entitled to citizenship, and that they should be enrolled.

This bill protects these people and permits them to be enrolled. To go back to the origin of this trouble, we find that these Indians were removed from east of the Mississippi to the country now known as the Five Tribes, the Indian Territory. When it was a wild country the Indians living there sought to have their relatives that were scattered east of the Mississippi to come to that wild country, to aid them in driving out the wild Indians and subduing the forests. They sent men back, members of their tribes, to see their relatives, and brought them there.

In the treaties of 1836 and 1840, and as far back as 1838, I find they provided that citizens of Cherokee blood going to that new country shall be entitled to all the privileges of those first removed by the United States Army.

Mr. LACEY. Why did not the Dawes Commission put these names upon the roll? Have they rejected them?

Mr. STEPHENS of Texas. I will explain that further. The Dawes Commission, after this question was left to them, saw proper to reject everyone that the tribes did not recognize as being properly on the roll. That is to say, after the passage of the Curtis Act it was to the interest of those Indians that they should have a short roll, so that each one of them would be entitled to more lands and a larger annuity.

The question of greed came in among our red brethren. They wanted to exclude from the rolls as many Indians as they possibly could, and in doing that they dropped their names from the rolls after they had invited these people of Indian blood east of the Mississippi River to go into the Indian Territory. A great many had come in, a great many since the civil war, and settled there; but they refused to put them on the rolls. And they stand in this condition at the present time. We find on the rolls a father, with his children left off the rolls.

Sometimes we find Indian children and the father and mother off the rolls, and sometimes the brother on the rolls and the sister left off—with part of the same family on the rolls and a part of it off. That, Mr. Speaker, is all wrong; and it should be righted by Congress. The Dawes commission, in my judgment, took the wrong view of the matter. They would not permit these names to be placed on the rolls.

This matter was referred to the courts, and this amendment is to the effect that where they have appealed to the courts and the courts have found in favor of the claimant, that they are Indians, they should be placed on the rolls; and there is no principle of justice or equity or right that would deprive them of the privilege. The courts were opened for that purpose. They appealed to the courts. These courts have found in favor of them, and the first section applies to this first class, who have obtained their judgments in the courts.

The second class is where the matter has been referred to a master in chancery, and if these reports should be made in their favor and they had proved they were of Indian blood. Now, as

as a matter of equity a great many of these people have gone there, built up farms, established homes, and lived there for years, and they will be driven out of that Territory, they and their families.

It is not right that they should be when they have Indian blood in their veins in order to give a larger amount of land and property to those other Indians. If the Dawes Commission had not excluded everything that was not upon the Cherokee rolls these parties would have been upon the rolls, and the reason for excluding them from the rolls was that they might have a short roll, and therefore they would have more property. I hope this committee will adopt the amendment.

Mr. SHERMAN. Mr. Speaker, the gentleman from Texas [Mr. STEPHENS], it seems to me, is absolutely in error in reference to the facts in this case. The law known as the Curtis Act expressly provided in what manner Indians who claimed to be members of the various tribes in the Indian Territory—the Five Civilized Tribes—could be enrolled; that the Dawes Commission should first pass upon the right of each Indian, and then the Indian had the right of appeal to the United States courts, and every single Indian who has the right to enrollment who has been affirmatively passed upon by the Dawes Commission has been placed upon the roll; and every single Indian whose right has been adversely passed upon and appealed to the higher court, if the Dawes Commission has been reversed by that court, has been enrolled.

There has been no wrong committed. It does not require any amendment of this act or the Curtis Act to have enrolled these various men whose right has been established by this commission or by the courts. I think the amendment is absolutely not needed and ought to be voted down.

Mr. STEPHENS of Texas. What objection have you to this amendment?

Mr. SHERMAN. If the Dawes commission has held that the Indians have Cherokee blood in them——

Mr. STEPHENS of Texas. If the court has held it.

Mr. SHERMAN. But they are entitled to it. The Curtis Act provided that all the Indians should do in order to be enrolled was to prove that they had Cherokee blood in them. They must prove more than that they had Indian blood in them; they must prove themselves a member of the Cherokee tribe of Indians; and where they have so proved themselves, and where this commission and the courts have so decided, in every case they have been enrolled.

Mr. CURTIS. I would suggest to the gentleman from Texas that a case went to the Supreme Court—the case of Stephens et al. against the Cherokee Nation—and the question was passed upon. The case was decided at the October term, 1898.

Mr. STEPHENS of Texas. But these cases I refer to have not been to final judgment.

Mr. SHERMAN. In case it has not been finally determined, the right of appeal exists, and they could not be excluded until there is decision by the highest court. I think the gentleman is in error in thinking there is need of any such amendment.

Mr. STEPHENS of Texas. What objection have you to this amendment?

Mr. SHERMAN. It is the law now.

Mr. STEPHENS of Texas. They are excluded.

Mr. SHERMAN. Not if the court has rendered a judgment that they had Cherokee blood in them. If some master in chancery has simply said that they have Indian blood in them, they may be.

Mr. STEPHENS of Texas. I provide in this amendment that they shall be shown to have Cherokee Indian blood.

Mr. SHERMAN. Under the existing law, where it has been established that the Cherokee blood exists to a sufficient degree, they are entitled to enrollment.

Mr. STEPHENS of Texas. What objection have you to enacting this even if that is so?

Mr. SHERMAN. I object to enacting over again what is now law.

Mr. STEPHENS of Texas. What if the Dawes commission refuses to obey the law?

Mr. SHERMAN. The commission does not refuse to obey the law.

Mr. STEPHENS of Texas. After you have provided for the court to try these cases, and after the court has decided in favor of the Cherokees, by decree of court, that they have their blood in them, what right have we to say that they shall not be entitled to enrollment and distribution?

Mr. SHERMAN. I say the gentleman is in error as to his statement of fact. It is not possible that any such condition can exist.

Mr. STEPHENS of Texas. Another question. I want to ask if there was not a date set out in the Curtis Act when these parties should be enrolled?

Mr. SHERMAN. Certainly; there must be a limit; we could not allow people to come in for all eternity.

Mr. STEPHENS of Texas. If there was an appeal and by delay they were prevented from getting their names on the roll, should not they now be permitted to come in?

Mr. SHERMAN. It was not possible to exclude them from the rolls because of any delay in hearing the appeal.

Mr. STEPHENS of Texas. Is it not a fact that we should look at the question as a right or wrong?

Mr. SHERMAN. But we have.

Mr. STEPHENS of Texas. If these people have Cherokee blood and have established it in the courts of the country, what right has Congress to disinherit them?

Mr. SHERMAN. If they have followed the provision of the Curtis Act and established their right to a place upon the roll of the Cherokee Nation, they are there.

Mr. STEPHENS of Texas. But you have limited the time within which they shall do that.

Mr. SHERMAN. Certainly.

Mr. STEPHENS of Texas. And if they could not get in in time, then you disinherit them because of the limitation which has been fixed by Congress; and that is certainly wrong.

Mr. SHERMAN. Why, my friend from Texas knows that we put some kind of limitation of time on every provision of this kind, and every other kind. It is absolutely necessary to put a limitation of time on all provisions, even those for the collection of our grocery bills.

Mr. CURTIS. Let me call the attention of the gentleman from Texas to a provision of this bill which covers the very case he talks about, if the claimants establish their rights. The provision of the bill in section 46 is that—

> If any citizen who was living and entitled to be enrolled on the 1st day of April, 1900, die before receiving his allotment of lands and share of the tribal funds, his right of allotment and share of the funds shall descend to his heirs according to the laws of descent and distribution of the Cherokee Nation, and shall be allotted and distributed to them accordingly.

This language clearly shows that the matter is left open, so that every person who can establish his right will be placed on these rolls; and we have provided in appropriation bills, in the act for the protection of the people of the Indian Territory, that if applicants had cases pending and if those cases should be appealed and if on appeal the case was decided in their favor then the Dawes commission should enroll them.

Mr. STEPHENS of Texas. Even admitting that to be true, what objection can you have to this amendment? After a judgment establishing their Cherokee blood, why should not these parties go upon the rolls? If what you say is true, no injury can be done to the rest of the tribe or to the United States Government.

Mr. LITTLE. My friend from Texas must undoubtedly misunderstand this matter, or I do. There is no person who has had a favorable judgment in the Indian Territory by the Federal courts there who is not placed on the rolls as a clerical act after judgment is entered.

Mr. STEPHENS of Texas. Then let this provision come in.

Mr. LITTLE. Certainly not, because the Dawes Commission is ordered by the existing law to enroll such persons.

Mr. STEPHENS of Texas. Can any better way of determining this question be suggested than by decree of the court?

Mr. LITTLE. I take it the trouble is that the gentleman has in his mind the reports of the masters in chancery.

Mr. STEPHENS of Texas. I understand this matter is to be determined first by the judgment of the court and next by the report of the master in chancery. Those two classes are specified in my amendment.

Mr. CURTIS. Let me call the gentleman's attention to section 45:

> Such rolls shall in all other respects be made in strict compliance with the provisions of section 21 of the act of Congress of June 28, 1898, entitled "An act for the protection of the people of the Indian Territory, and for other purposes."

Mr. STEPHENS of Texas. If they are protected by that provision, what objection is there to putting them in?

Mr. CURTIS. But why repeat the provision?

Mr. STEPHENS of Texas. To place the matter beyond all controversy.

Mr. CURTIS. If the amendment of the gentleman from Texas be adopted, at once the report will go out that we have opened up a way for about 8,000 intruders to get on the roll; and the treaty will not be ratified by the tribe.

Mr. STEPHENS of Texas. There are but 105 families claiming this right. They are living there and have established their right by the decree of court or by the report of the master in chancery.

To drive these people out of that Territory after they have done exactly what they were required to do, after they have gone to the courts for the purpose of proving their Indian blood and have proved it, in one class of cases a decree of the court having been placed upon record and in the other class of cases the master in chancery having reported in their favor—why should you now disinherit them and prevent them from having equal rights with the rest of the Indian tribes?

Mr. CURTIS. We have no desire to disinherit them.

Mr. STEPHENS of Texas. This act, without the amendment I propose, which places the matter beyond all question, would simply disinherit those people.

Mr. LITTLE. By the original act prescribing the mode of taking the list of citizens in the Territory, the primary jurisdiction was vested in the Commission to the Five Civilized Tribes to hear applications which were to be made within the time fixed in that bill—the 10th of August or September, I believe, 1898.

If approved by the Dawes commission, such persons were entitled to enrollment. If rejected by the commission, they had the right to appeal to the Federal courts in the Indian Territory; and if found entitled to citizenship by the court, they were entitled to enrollment; otherwise they were excluded from the rolls.

Mr. JONES of Washington. If the court found them entitled to enrollment and the commission refused to enroll them, the court could enforce its decree.

Mr. LITTLE. The commission does not refuse and can not refuse.

Mr. JONES of Washington. But if it did, the court could certainly enforce its action.

Mr. LITTLE. The Secretary of the Interior would settle the matter if such a thing should happen. After the court has adjudged the parties entitled to citizenship the commission has no further discretion; its action in placing the parties on the rolls is merely clerical; and the entire roll when completed is subject to the approval of the Secretary of the Interior.

Here is the trouble I see if we undertake to change the existing law by such legislation as that proposed by the gentleman from Texas: We have relegated this issue of fact to the commission, with the right of appeal to the court. The judgments of the court have been entered, and they are binding upon Congress. We have no right to invade the judgment of a court having jurisdiction of the subject-matter.

Mr. STEPHENS of Texas. I am not asking you to invade any judgment of the court, but to carry out the judgment.

Mr. LITTLE. We might just as well insert an amendment declaring that we accept the Bible as true. These parties must be enrolled under the existing law, if they are adjudged by the Federal courts entitled to enrollment.

Mr. STEPHENS of Texas. Have you not prescribed the time within which they shall be enrolled?

Mr. LITTLE. No; we have prescribed the time within which they should apply. There is no limit as to the time when the question shall be decided. The limit is as to the time they should apply, and the limit was long enough, so that more than 7,000 people applied.

Mr. STEPHENS of Texas. If they have already applied, and the courts have found in their favor, what objection have you to their being enrolled?

Mr. LITTLE. The law already prescribes that they shall be put upon the rolls if the courts find in their favor.

Mr. SHERMAN. As the law says that, they are in fact upon the rolls now.

Mr. LITTLE. The amendment of the gentleman from Texas says that persons having judgments of the court, or reports of special or general masters in chancery, shall be enrolled. Now, a master in chancery is only an arm of the court, and the finding of a master in chancery is merged in the judgment of the court. We can not incorporate a mere finding of the master.

Mr. STEPHENS of Texas. But you have limited the time within which it shall be done, so as to make it impossible to have these persons enrolled.

Mr. LITTLE. Not at all. The applications are closed now. Births are closed by this bill, as limited to the time specified. The commission must make a complete roll, and must take every man found on any of the rolls of the tribe. Those that are contesting, who were not on the tribal rolls, must have applied to the commission, and then go to the court. When they went to the commission and were rejected, they appealed to the court.

Masters in chancery in those particular cases were appointed to take proof and report to the court. I will state that they have reported, some of them recommending citizenship, and while I disagree with the courts in their judgment in some of those cases, while I believe if I had been deciding the cases I would have admitted some of them to citizenship who were not admitted, that is not the question here. The power of Congress on this point is exhausted by the solemn judgment of the court, and Congress has no power to disturb the judgment of a court.

The finding of a master in chancery is nothing but the mere hand of the court, and if the judgment of the court differs from the finding of the master in chancery, his finding amounts to nothing, because it is absorbed and determined finally by the decree of the court rendering final judgment in the case.

I know half of these people personally who are contesting for this citizenship. Some of them, I believe, ought to be enrolled.

Mr. STEPHENS of Texas. Then, on that admission, what objection have you to my amendment?

Mr. LITTLE. I will not be a party to Congress invading the judgment of a court and undertaking to decide a thing ex parte. When the courts have heard the evidence and declared solemnly against these parties, I do not believe that Congress should invade that judgment, because we have not investigated the matter. There are many of these contestants, personally, that I should like to see on the rolls.

Many of them are my friends. Many of them have made improvements in that country; but if they get on the rolls in opposition to the final judgment of the courts, they will have to go some other road, so far as I am concerned, than to ask Congress to overturn the judgment of the courts. I do not believe, in the first place, we have the power to do it.

Mr. SHERMAN. Mr. Speaker, let us have a vote.

The SPEAKER pro tempore. The question is on agreeing to the amendment proposed by the gentleman from Texas [Mr. STEPHENS].

The question being taken, the Speaker pro tempore announced that the noes appeared to have it.

Mr. STEPHENS of Texas demanded a division.

The House divided; and there were—ayes 3, noes 8.

Mr. STEPHENS of Texas. I believe I will make the point of no quorum.

Mr. SHERMAN. I hope my friend will not do that.

Mr. LITTLE. I suggest to my friend that if he does that there will be no legislation on this subject at this session of Congress. If he wants to take the responsibility——

Mr. STEPHENS of Texas. I never shirk responsibility at any time or place.

Mr. LITTLE. I know the gentleman's courage, and I know he wants to do right; but the gentleman by making the point of no quorum will leave these matters in that Territory in the condition in which they now are.

Mr. STEPHENS of Texas. Yes; and you by your action rob men of their farms and drive them out of that Territory and disfranchise them.

Mr. LITTLE. The gentleman assisted in establishing a commission and a court to determine these cases, a tribunal that was satisfactory to the claimants who were here.

Mr. STEPHENS of Texas. And we are asking Congress to obey the judgment of that court.

Mr. LITTLE. The commission will obey it, and the courts will if the commission does not.

Mr. SHERMAN. I understand the gentleman does not raise the question of no quorum.

The SPEAKER pro tempore. On this question the ayes are 3, the noes are 8, and the amendment is rejected.

Mr. CURTIS. I offer the following amendment.

The amendment was read as follows:

Page 10, line 11, strike out the words "excluding improvements;" and in line 12, after the word "town," add "but not improvements erected on such town sites."

Mr. CURTIS. It is simply a change of phraseology.

The amendment was agreed to.

Mr. SHERMAN. Mr. Speaker, section 82 having been rejected, I ask unanimous consent, in line 9, page 38, to strike out "eighty-three" and insert "eighty-two," to correct the number of the section.

The SPEAKER pro tempore. Without objection, the change will be made.

Mr. RIDGELY. Mr. Speaker, I did not understand that we had acted on section 82.

Mr. SHERMAN. Yes, section 82 was rejected. I think those are all the amendments, and I ask that the bill be engrossed and read a third time.

The question being taken on ordering the bill to be engrossed and read a third time.

Mr. RIDGELY said: I make the point of no quorum. I will reserve that a moment. I desire by unanimous consent to make a statement.

The SPEAKER pro tempore. By unanimous consent the gentleman can make a statement.

Mr. RIDGELY. Reserving the point of no quorum, I wish to say this, that some of my constituents are affected very materially by striking out this section 82. I got in here just as the vote was being taken by the committee striking this out, and I believe that it is unjust to people who already have leases in this country, secured in accordance with acts of Congress, approved by the Secretary of the Interior, that they shall be canceled and those parties sent back to make new terms.

These people have appealed to me to look after this matter. I have looked after it by inquiring of the committee, and they assured me that their amendment had been put onto the bill by the committee.

Mr. CURTIS. Will the gentleman permit me? All leases which have been approved by Congress are not affected in the least by this bill.

Mr. LITTLE. This act says nothing about any other lease.

Mr. CURTIS. There was a provision in the section which was stricken out to approve all leases which had been made under the customs and laws of the tribe. I agree with the gentleman in his statement, that the men who have made such leases and expended their money ought to be protected; but the committee has information that if this section stays in, the treaty will be rejected by the tribe, and I believe it would be better to let the section go out than to have the treaty rejected.

Mr. RIDGELY. Just a question now: These leases that have been approved by the Secretary of the Interior——

Mr. CURTIS. They are not affected in the least by this act. They are still in full force. Any lease which has been approved under existing law by the Secretary of the Interior is still in full force.

Mr. RIDGELY. Then this simply affects those that have not been approved?

Mr. CURTIS. Under the laws and customs of the tribe a lease might be made to a member of the tribe, and the members of the tribe could sublease to other parties. Such leases, of course, are void if this bill passes, or rather there is nothing in this bill to protect the persons holding under such leases.

Mr. RIDGELY. I want to ask the gentleman who moved to strike this out what serious objection there would be to reconsidering that vote and letting this amendment stand as the committee have brought it in here?

Mr. LITTLE. That is what we struck out.

Mr. RIDGELY. Why should we strike it out?

Mr. LITTLE. Why, the whole treaty looks to the allotment of these lands in severalty to these people, and I do not see how we could very well allot the lands after they had been locked up in leases.

Mr. RIDGELY. But the amendment brought in here protects the party who holds a lease, who has a right in equity there; but now it makes the lessee pay over to the lessor, or to the party receiving the lands, under the allotment provided in the act. Otherwise it goes to the tribe.

Mr. LITTLE. Under this you can ratify any leases that have been made, and under the Curtis Act they would get 640 acres, while under this those people only can get 80 acres apiece, and when they get that it will be less property. They want the allotment to take place in twelve or eighteen months; and the whole treaty agreed to by these people was on the lines that they should have their lands unincumbered as nearly as it was possible to get it, and they have that right.

When the allotments are made they can lease them for one year; but after the final allotment is made they can rent them or lease them.

Mr. RIDGELY. If I understand the gentleman's explanation, it amounts to this: These parties who have been recognized as having the right to make legal contracts, which have been in force for a good many years, if it suits them can say that we consent to a new deal, and if not, you wipe out the contracts that they have made with these people, or else let them make others if they choose.

Mr. LITTLE. If their contracts were legal when made, they would stand.

Mr. RIDGELY. By your action you wipe them out?

Mr. LITTLE. If it was legal when it was made it will stand.

Mr. RIDGELY. It was sufficient to induce men to invest their money in these lands.

Mr. LITTLE. If it was legal when it was made it is legal. If it was not legal when made it will not be legal.

Mr. RIDGELY. These lands have been occupied for two purposes, and they may not be able to go into courts and enforce their contracts; but you are wiping out the rights of these parties now.

Mr. LITTLE. If you examine such as one I examined, you will find it calls for about five square miles of land, and some of them I do not know how much more.

Mr. RIDGELY. I do not want to extend this discussion, but it seems to me this amendment was considered fair, of sufficient importance to be adopted by our Committee on Indian Affairs, and put into the bill and brought here for our action. I do not think that this provision should be stricken out. I believe that by this legislation we absolutely wipe out rights in equity and vested rights, and we ought not to do it.

I want to say, in answer to an explanation that has been made to me by the chairman of the committee, that these will not affect the leases approved by the Secretary of the Interior; that I have serious doubts whether you are protecting those. I am not satisfied in my mind whether you are not wiping them out. I have not had time to consider the bill.

Mr. SHERMAN. We intend certainly to protect existing rights.

Mr. RIDGELY. If you will reconsider the vote and put it back in the bill, if the committee will stand by its own report, I will agree to let the matter go.

Mr. CURTIS. I agree with the gentleman from Kansas, but I am afraid that if he does not yield it will defeat this treaty.

Mr. RIDGELY. I do not think it will; and I have that assurance from a great many people who have been down in this country, and from an able attorney right down on the line, who was here, and said he had not one dollar of interest in it himself, but a great many other people had.

Mr. CURTIS. If the gentleman will yield to me for that purpose, I will ask unanimous consent to reconsider the vote by which the amendment of the committee adding section 82 to the bill was rejected.

Mr. RIDGELY. I consent to that.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. CURTIS] asks unanimous consent to reconsider the vote by which the amendment to add section 82 to the bill was rejected. Is there objection? [After a pause.] The Chair hears none. The amendment is now before the House.

Mr. COOPER of Wisconsin. I would like to ask some member of the committee who reported this bill a question or two. My attention has never been called to it until to-night. I notice that each bill is about 30 or 31 pages in length, approximately that; each relates to a very important subject-matter. The matter just suggested by the gentleman from Kansas, affirming or nonaffirming mineral land leases, cutting up property into town sites, the allotment of it to Indians; all very important legislation indeed.

Now, the bill was introduced in the House on the 23d of last month and reported on the 25th; and then we are asked to pass it, with six or eight members in the House, at a night session, when not one member in seventy-five in the House of Representatives has ever seen the bill or knows anything about either one of them. I wish here to enter my most emphatic protest against that species of legislation. It may be all right. I would not impute anything to this committee, but on its face it is not proper.

Mr. CURTIS. Will the gentleman yield to me?

Mr. COOPER of Wisconsin. If the people who owned these lands were white men, nothing of the kind would be done, in my opinion. I think there ought to be a rule of the House of Representatives which would prevent the taking up of bills just introduced on the 23d of the month, reported on the 25th, to be brought up at a night session, just at the end of the session, for passage.

Mr. SHERMAN. Will the gentleman from Wisconsin yield to me?

Mr. COOPER of Wisconsin. Certainly.

Mr. SHERMAN. The most of this is not legislation. It is an agreement entered into with the Indians. With the exception of one part, which is legislation, all the rest is agreement with the Indians that they have entered into with the Government.

Mr. COOPER of Wisconsin. I thought there were two, three, or four pages of amendments.

Mr. SHERMAN. That is simply because Congress has amended the treaty, which goes back to the tribe for ratification.

Mr. CURTIS. And furthermore, I will state to the gentleman from Wisconsin that this is not the original bill. The original bill was considered by a joint committee of the House and Senate.

Mr. SHERMAN. It has been here since March.

Mr. CURTIS. And after the original bill was amended by the joint committee of the House and Senate, this bill was introduced, so as to cover the amendments agreed upon by the joint committee.

Mr. COOPER of Wisconsin. It was introduced on the 23d of last month, and in the last part of it, printed in italics, there are four or five or more pages of amendments.

Mr. SHERMAN. That is an amendment to the agreement, and must go back to the Indians for their ratification or else it is not effective. It must go back to the Indians. This whole proposition is to be voted upon by them. This is the action of Congress, and unless it is affirmed by them by a vote of their tribe at such election as ordered by them it amounts to nothing.

Mr. CURTIS. In addition to that, it has been fully considered by the Department and approved by the Secretary of the Interior, and the meeting was called to-night, at the request of the Department, to enact this legislation because it was necessary that it should go through at this time. We have appropriated over $500,000 in the Indian appropriation bill to carry on this very work.

This question has been up since 1893 at every session of Congress, and every member of the Indian Committee is familiar with it. This bill was considered by a joint committee of the House and Senate, or, rather, this bill is the result of the consideration given to the first bill by the joint committee.

Mr. COOPER of Wisconsin. If the proposition was to be made to white men, or men occupying the status of white men, I would not think anything of it; but when you talk about making treaties with Indians, it is a different proposition, as it seems to me, from making a proposition to a lot of white men.

Mr. RIDGELY. If the gentleman from Wisconsin will allow me, I want to say that I have been watching with some interest the proceedings and the consideration of this matter before the Indian Committee, and I believe that the committee by this bill have

dealt fairly with the Indians, as much so as the judgment of any impartial men can do. I believe they have dealt with and safeguarded every interest.

I believe, however, that we should stand by the bill as it came from the committee, because all the parties have been before the committee and they are not here now, and we should stand by the bill as it was reported, and do equity to all. I am willing the bill should go through as it was reported by the committee.

Mr. CURTIS. Let me call the attention of the gentleman from Wisconsin to the following language in the bill:

That the agreement negotiated between the Commission to the Five Civilized Tribes and the Cherokee tribe of Indians at the city of Washington on the 9th day of April, 1900, as herein amended, is hereby accepted, ratified, and confirmed, and the same shall be of full force and effect if ratified by a majority of the votes cast by the members of said tribe at an election to be held for that purpose.

Mr. COOPER of Wisconsin. Will the gentleman from Kansas please explain the objection made to the reinstatement of the amendment that was stricken out? What is the precise point involved?

Mr. CURTIS. We have consented to the reinstatement of section 82. In the act to protect the people of the Indian Territory, all leases of mineral lands which had been assented to by Congress, and those which had been made with members of the tribe, under the laws and customs of the tribes, were to continue unimpaired.

The men who were in possession of mineral lands and had made valuable improvements were given the preference in the making of new leases, under rules and regulations prescribed by the Secretary of the Interior. But when this treaty was made there was no provision made for mineral leases, and when the bills to ratify the two treaties were acted upon by the joint committee there was no provision made for mineral leases.

But when the bill was submitted to the Committee on Indian Affairs of the House the committee voted to add this section 82, which provides for the leasing of mineral lands. Upon the motion of the gentleman from Arkansas, the amendment of the committee adding this section was disagreed to; and a few moments ago, by unanimous consent, we reconsidered the vote whereby section 82 was stricken out.

Mr. COOPER of Wisconsin. The two bills are not identical.

Mr. CURTIS. They apply to different tribes of Indians. The provision in regard to mineral leases is the same.

Mr. SNODGRASS. Will the gentleman from Kansas allow me a question?

Mr. CURTIS. Certainly.

Mr. SNODGRASS. You say this is an agreement between the Dawes Commission and the Indian tribes?

Mr. CURTIS. Between the Dawes commission and the Cherokee tribe of Indians. They were here for some weeks working nearly every day and had the assistance of the officers of the Interior Department. The matter was thoroughly gone over, and then, when the treaty was sent to Congress, amendments were recommended by the Secretary of the Interior. These amendments were added to the treaty by the bill which was offered to ratify the treaty.

Now, this bill is the result of all that labor and the labor of the joint committee of the House and Senate.

Mr. SNODGRASS. Were it not for the amendment suggested, the agreement might have been ratified by Congress.

Mr. CURTIS. No; because the agreement was not with the tribe, but with representatives of the tribe. It must be ratified by the tribe.

The SPEAKER pro tempore. The question is on agreeing to the adoption of section 82.

Mr. BENTON. What is that?

The SPEAKER pro tempore. The question is upon agreeing to the section proposed as a committee amendment, which has once been rejected.

The question having been taken,

The SPEAKER pro tempore said: The noes appear to have it.

Mr. RIDGELY. I call for a division.

The question being again taken, there were—ayes 8, noes 4.

Mr. BENTON. No quorum, Mr. Speaker.

Mr. SHERMAN. Does the gentleman insist on that point?

Mr. BENTON. I object, if this provision is to go into the bill.

Mr. CURTIS. I do not see why the gentleman should raise that point. If he will read the last proviso, he must see that no harm can come from this amendment. It provides that no mineral leases shall be made without securing the written consent of the allottee; next, that no such lease is valid unless it is approved by the Secretary of the Interior. In no case is a lease to interfere with allotments. No lease can cover the mineral in more than 160 acres of land, and in no case cover a homestead. With these limitations, no harm can come from the section.

Mr. RIDGELY. The amendment of the committee as agreed to here is certainly fair in equity.

The SPEAKER pro tempore. Does the gentleman from Missouri [Mr. BENTON] withdraw his point?

Mr. BENTON. I do, in order that the gentleman from Kansas may proceed with his remarks.

Mr. RIDGELY. A number of these people—as good citizens as we have in this country—have to my personal knowledge gone down into that country. Some of them have been there a number of years, getting along in perfect harmony. They have leased lands of these Indians and have built fences, have broken ground, and have erected buildings, and are paying a good liberal rate of rent. Now, it is but right, and the committee has conceded that it is but right, that a negotiation shall be permissible.

Mr. BENTON. That is not in this provision at all.

Mr. LITTLE. Is the gentleman from Kansas [Mr. RIDGELY] talking about agricultural leases?

Mr. RIDGELY. Both agricultural and mineral leases.

Mr. LITTLE. This does not touch farmers' leases.

Mr. RIDGELY. These people are there or the committee would not have brought in this amendment. But they have carefully guarded the rights of the Indians, the allottees of these lands. As the gentleman from Kansas [Mr. CURTIS] has said, no advantage can be taken of them. The provision is absolutely fair to both parties. We are willing that this bill shall go through as the committee has reported it, after hearing all sides and all parties affected by it.

Mr. FINLEY. I would like to ask the gentleman from Kansas [Mr. RIDGELY] a question. I confess I am in want of information. I would like to know to what extent the holders of mineral leases or other parties have gone into this Indian Territory and acquired rights of any kind. I understand that this section applies principally to mineral leases, not to agricultural leases.

Mr. RIDGELY. The other section applies to agricultural leases.

Mr. FINLEY. I am speaking with reference to section 82.

Mr. RIDGELY. There are parties down there who have put up machinery and have done prospecting, seeking for oil and minerals. Some have made investments in coal mines; they have actually put in their money and have made improvements. They are there under contracts with the recognized owners and controllers of those lands. It is but right that we should protect these people to the extent of permitting them to remove or sell their improvements, or to negotiate with these parties in reference to remaining upon the land—that we should not simply wipe out their rights entirely, leaving them at the mercy of somebody else.

Mr. FINLEY. As I understand, the objection to this proviso with reference to mineral leases seems to be that the parties holding such leases have made improvements and that this section would take away their rights. Am I correct?

Mr. RIDGELY. It takes away their rights entirely under their leases, while the bill as brought in here from the committee permits the leases to continue in force provided the parties who may occupy the land under the leases are properly protected.

Mr. FINLEY. Then the objection is that these parties holding these mineral lands will be prevented by this section from removing their improvements. Is that one part of the objection?

Mr. RIDGELY. It is.

Mr. FINLEY. The gentleman spoke of parties having legal rights there. Now, I would like to be informed how and under what circumstances those parties obtained the rights of which the gentleman speaks. If these questions are answered, I think the first objection can be easily removed by amendment.

Mr. RIDGELY. The leases which have obtained down there have grown up under years of custom.

Mr. FITZGERALD of New York. Without authority of law?

Mr. RIDGELY. Yes; some of them are such as probably could not be enforced if either party to the agreement should see fit to violate or ignore it. But now we come in with legislation that establishes certain legal rights there, with reference to these very lands, wiping out any chance whatever of an equity existing by long custom that has at least been tolerated by the United States Government through the Interior Department.

Mr. SNODGRASS. Is there any statute of limitations that can run against the Government?

Mr. RIDGELY. I am not pleading the statute of limitations; I am pleading equity. We do not ask for these people any advantage over parties who may become the owners of these lands, but we do intend that they shall have the first privilege, provided that rights of the owners are protected.

Mr. FINLEY. As I understand the gentleman from Kansas [Mr. RIDGELY], his first suggestion is that the parties who have acquired rights of some character in these general lands will be prevented from selling their improvements or removing them.

Now, it seems to me that an amendment allowing them this right would be sufficient to answer that objection, and then, as to the other proposition, that they have acquired what is theirs by usage and custom, I do not know of any rule by which that can be covered, if they went there without authority of law.

I confess I wish to do what is right and proper toward these lessees; but at the same time I think that the committee having

this bill under consideration had some reason for their action, and although I know nothing about the testimony before them, it does seem that, after years of effort on the part of the United States Government, this treaty with the Indians ought to be got through in some shape, and in a manner fair to all parties.

I confess that I have great respect for the gentleman from Kansas [Mr. RIDGELY] and for his judgment. It seems to me that his objection can be remedied by amendment, and my suggestion is that he direct his attention to that point. I think there will be no trouble.

Mr. RIDGELY. If the gentleman will permit me, the parties affected by this have been before the Indian Committee, and an attorney from one of the counties in my district just left here a few days ago, being compelled to go home because he is the county attorney, and an important suit called him there. He called my special attention to this, and said that after both tribes had appeared before the committee they had agreed to this amendment.

The committee bring it in here, and all that I ask is that the legislation that shall take place here to-night be in accordance with the report of the committee. I am willing to let the entire bill go through, but I ask you to stand honestly by what was agreed to in the committee.

Mr. SHERMAN. Mr. Speaker, I understand the gentleman from Missouri [Mr. BENTON] is willing to refrain from raising the point of no quorum.

The SPEAKER pro tempore. Without objection, the committee amendment will be agreed to.

There was no objection.

The SPEAKER pro tempore. And the sections will be renumbered. The question is on the third reading of the bill as amended.

Mr. RIDGELY. Do you strike out the paragraph on page 5 and adopt the amendment which the committee recommended?

Mr. SHERMAN. Certainly; that has been done.

Mr. RIDGELY. I want the RECORD to show that the vote about to be taken is upon the bill as amended by the committee, all the amendments reported by the committee having been agreed to and adopted; that now we are voting to adopt the bill as amended in accordance with the recommendation of the Committee on Indian Affairs.

Mr. SHERMAN. Together with one or two other amendments. The bill contains all the amendments which the committee has reported and one or two other minor amendments.

Mr. RIDGELY. We have adopted the amendment on page 5.

Mr. SHERMAN. Certainly; the House has agreed to that amendment and to all the amendments recommended in the report of the committee. Besides that the House has agreed to one or two other amendments.

Mr. RIDGELY. Very well; with that understanding.

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. SHERMAN, a motion to reconsider the last vote was laid on the table.

AGREEMENT WITH MUSCOGEE OR CREEK INDIANS.

Mr. SHERMAN. Mr. Speaker, under the special order I call up the bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes, and I ask unanimous consent that the first reading of that bill be dispensed with.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill.

There was no objection.

Mr. SHERMAN. Now, Mr. Speaker, I ask that the Clerk report the amendments offered by the committee, and that they be first acted upon.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The following committee amendments were severally read, considered, and agreed to.

On page 10, line 6, after the word "effective," add the following:

"If a majority of the members of a committee fail to agree upon the value of any lot the value thereof shall be fixed by Secretary of the Interior."

On page 11, line 11, before the word "lot," add the words "or business;" and after the word "lot" add the words "or both."

The following committee amendment was read:

On page 11, in line 17, after the word "home," add the following: "Also any person who had at the time of signing this agreement purchased any lot, tract, or parcel of land from any person in legal possession at that time."

Mr. CURTIS. I hope that amendment will be voted down. It is virtually provided for in another section of the bill.

Mr. RIDGELY. Let it stand as reported by the committee.

The amendment was agreed to.

The following committee amendments were read, and agreed to:

On page 16 strike out all the words in lines 21 and 22 and insert in lieu thereof the following:

"All deeds when so executed and approved shall be filed in the office of the Dawes Commission, and there recorded without expense to the grantee, and such records shall have like effect as other public records."

On page 17 strike out all the words in lines 7, 8, 9, and 10, and insert in lieu thereof the following:

"(b) All lands to which, at the date of the ratification of this agreement, any railroad company may, under any treaty or act of Congress, have a vested right for right of way, depot, station grounds, water stations, stock yards, or similar uses connected with the maintenance and operation of the railroad."

On page 18, after the word "allotted," in line 15, add the following:

"(o) One acre each for the six established Creek court-houses with the improvements thereon."

"(p) One acre each for all churches and schools outside of towns now regularly used as such."

On page 20, in line 15, after the word "shall," add the word "hereafter."

On page 20 strike out all after the word "agreement," in line 17, down to and including the word "determined," on page 22, line 17.

On page 30, line 9, after the word "thereof," add "except appropriations for the necessary, incidental, and salaried expenses of the Creek government as herein limited."

On page 31, line 9, after the word "six," add the following words: "subject to such future legislation as Congress may deem proper."

The following committee amendment was read:

On page 31, after the word "Congress," in line 13, add section 50, as follows:

"SEC. 50. That there be, and is hereby, established a court at the town of Eufaula, in said Creek Nation, at which place regular terms of United States court shall be held annually."

Mr. SHERMAN. Mr. Speaker, since this was inserted in the treaty, it not being in the original treaty, I am advised by the Department of Justice that it is not necessary, and that they object to the establishment there of another court. I therefore trust that that amendment will be voted down.

The amendment was rejected.

The following committee amendment was read:

Add section 50, as follows:

51. That the Secretary of the Interior is hereby authorized and directed from time to time to provide rules and regulations for the leasing of oil, gas, coal, asphalt, and other minerals on the unallotted and unselected portion of the land within the Creek country, and all such leases shall be made by the Secretary of the Interior; and any lease for any such minerals otherwise made shall be absolutely void. No lease shall be made or renewed for a longer period than fifteen years, nor cover the mineral in more than 160 acres of land, which shall conform as nearly as possible to the surveys. Lessees shall pay on each oil, gas, coal, asphalt, or other mineral claim at the rate of $100 per annum, in advance, for the first and second years; $200 per annum, in advance, for the third and fourth years, and $500, in advance, for each succeeding year thereafter, as advanced royalty on the mine or claim on which they are made.

All such payments shall be a credit on royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments, and all lessees must pay said annual advanced payments on each claim, whether developed or undeveloped; and should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance shall then become and be the money and property of the tribe: *Provided*, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been assented to by act of Congress, but all such interest shall continue unimpaired hereby, and shall be assured to such holders or owners by leases from the Secretary of the Interior for the term not exceeding fifteen years, but subject to payment of advanced royalties as herein provided, when such leases are not operated, to the rate of royalty on coal mined, and the rules and regulations to be prescribed by the Secretary of the Interior, and preference shall be given to such parties in renewals of such leases; but if said lease covers any land which has been selected or allotted, then the royalty for the part of said land so selected or allotted shall be paid to the person to whom the allotment has been made or to the person who has made the selection:

Provided further, That when, under the customs and laws heretofore existing and prevailing in the Creek Nation, leases have been made of different groups or parcels of oil, coal, asphalt, or other mineral deposits, and possession has been taken thereunder and improvements made for the development of such oil, coal, asphalt, or other mineral deposits by lessees or their assigns, which have resulted in the production of oil, coal, asphalt, or other mineral in commercial quantities by such lessees or their assigns, such leases are hereby approved for a period of not to exceed fifteen years from the date of the lease and for not more than 160 acres of land, and such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the Secretary of the Interior; and in making new leases due consideration shall be made for the improvements of such lessees, and in all cases of the leasing or renewal of leases of oil, gas, coal, asphalt, and other mineral deposits preference shall be given to parties in possession who have made improvements.

The rate of royalty to be paid by all lessees shall be fixed by the Secretary of the Interior: *Provided*, That the royalty which shall become due under the terms of leases heretofore made or under new leases made under the provisions of this act shall be paid, if on unallotted or unselected lands, to the Creek tribe; but if on allotted or selected land, then the same shall be paid to the allottee or to the member of the tribe who has made the selection: *Provided further*, That members of said tribe who have made selections or to whom allotments have been made may lease their selections or allotments for the development of oil, gas, coal, asphalt, or other mineral deposits and receive the royalty for the same, but before operations shall be begun upon the land owned or controlled by any person for the development of oil or gas, the lessee or party operating shall pay to the allottee or owner of the said land the value of the use of the necessary surface for prospecting or mining and the damage to be done to the other land and improvements of said allottee or owner, the value to be ascertained under the direction of the Secretary of the Interior: *Provided further*, That no lease provided for in this section shall be of force or effect until the consent of the allottee is obtained in writing, and until the same is approved by the Secretary of the Interior, and in no case shall the lease provided for in this section interfere with allotments, or cover the 40-acre homestead provided for in this bill, or in any case cover more land than is allotted to any one allottee, exclusive of his homestead.

The question being taken on the amendment, on a division (demanded by Mr. SNODGRASS) there were—ayes 5, noes 3.

Accordingly the amendment was agreed to.

Mr. CURTIS. Mr. Speaker, on page 8, line 8, I move to strike out all after the word "land," and also all of line 9, the words stricken out being:

Provided, That he has paid for any improvements which may be on the land selected by him.

It is provided for on page 6 of this bill, so it is simply a repetition.

The SPEAKER pro tempore. The gentleman from Kansas moves to strike out all after the word "land," in line 8, and all of line 9.

The amendment was agreed to.

Mr. CURTIS. I offer the following amendment on page 10:

The amendment was read, as follows:

Page 10, line 2, strike out the words "excluding improvements;" and in line 3, after the word "town," insert "but not the improvements on such town site."

Mr. BENTON. What is the effect of that?

Mr. CURTIS. That is the same amendment which was agreed to in the Cherokee bill.

Mr. BENTON. What is the object of the change?

Mr. CURTIS. This provision is made so that in appraising the lots in a town the value added by improvements will not be considered.

Mr. SHERMAN. The effect is just the same as in the original bill, only it transposes the language to make it clear.

The amendment was agreed to.

Mr. CURTIS. I offer the following amendment: On page 12, after the word "which," in line 6, I move to insert the words "has or."

The SPEAKER pro tempore. Should it not be "has been or?"

Mr. CURTIS. Yes; so that it will read: "which has been or may be laid out."

The amendment was agreed to.

Mr. CURTIS. I offer another amendment.

The amendment was read, as follows:

After line 20, page 16, add the following paragraph:

"The transfer of the title of the Creek tribe to individual allottees and to other persons as provided in this agreement shall not inure to the benefit of any railroad company nor vest in any railroad company any right, title, or interest in or to any of the lands in the Creek Nation.

Mr. CURTIS. This amendment is to make it read the same as the Cherokee bill.

The amendment was agreed to.

Mr. STEPHENS of Texas. I have an amendment in line 24, page 14, after the word "Coweta," to insert the words "Gibson Station."

The amendment was read, as follows:

Page 14, line 24, after the word "Coweta," insert "Gibson Station."

Mr. STEPHENS of Texas. This just adds another town. That is the oldest town in that entire country.

The amendment was agreed to.

Mr. STEPHENS of Texas. I have another amendment.

The Clerk read as follows:

After the word "agreement," in line 21, on page 22, strike out "and no person whomsoever, shall be added to said rolls after the 1st day of July, 1900," and insert the following:

"*Provided*, That all persons once enrolled without fraud on their part as resident Creek or Muskogee Indians and whose names were stricken from said rolls without notice or a hearing, and their heirs shall be enrolled by the commission."

Mr. STEPHENS of Texas. Now, Mr. Speaker, it seems that these people were once legally enrolled, and had their names on the roll. Subsequently they were stricken from the rolls, as shown by the court records, without any notice. They had no chance to be heard; and the Indians struck their names from the rolls after they had been once upon the rolls. Therefore I think that this action should be had.

Mr. SHERMAN. Does the gentleman mean after their names had been enrolled by the Dawes Commission?

Mr. STEPHENS of Texas. By the Indians themselves.

Mr. SHERMAN. We have provided under the Curtis Act how every man can be enrolled, and every man should have taken advantage of the Curtis Act if he had been theretofore illegally excluded from the rolls.

Mr. STEPHENS of Texas. But they must be on the rolls at a certain time.

Mr. SHERMAN. They must make application.

Mr. STEPHENS of Texas. But they had been subsequently stricken from the rolls; some subsequent to the passage of the Curtis Act and some of them before.

Mr. SHERMAN. If the gentleman is correct, that is a pretty serious proposition. When the Dawes commission and the courts have placed these men on the roll, do I understand the gentleman to say that they have been stricken from the roll?

Mr. STEPHENS of Texas. After the Indians had once placed them on the rolls. The Indians placed them on the rolls, and the Indians struck them off; and they were not found on the roll.

Mr. SHERMAN. But any person stricken from the roll prior to the passage of the Curtis Act had ample opportunity to have that wrong—if it were a wrong—righted by an application to the Dawes commission and the courts under the Curtis Act.

Mr. STEPHENS of Texas. They are complaining about it, and I do not think they have any remedy, unless we recognize it in this law.

Mr. FITZGERALD of New York. I wish to call the attention of the gentleman to the fact that this amendment leaves out the provision for the closing of these rolls.

Mr. STEPHENS of Texas. It ought not to do that.

Mr. FITZGERALD of New York. The Dawes Commission asks that some time be fixed for the closing of these rolls, so that their work can be completed. Now, if the amendment is adopted, it leaves that question open to be fixed some time in the future by Congress.

Mr. STEPHENS of Texas. This treaty can not be ratified by the Creeks before the 1st of July, and the time will be out then.

Mr. FITZGERALD of New York. I am simply suggesting that there should be some time fixed for closing these rolls; and in this treaty the time should be fixed so that when Congress has ratified it and the treaty has gone to the tribe and been ratified by them it will be finished and not have it to come here two or three years from now, with attempts being made by persons seeking to have it appear that some wrong has been done them, to have the matter remain open on some pretended claim and have Congress to pass upon it and not have a particular time for closing it up. The time should be fixed when these rolls shall be closed and the matter settled definitely.

Mr. STEPHENS of Texas. I would be willing to take it out in line 22, after the word "hundred," and leave the language in there, and then say:

Provided, That all persons once enrolled without fraud on their part as resident Creek or Muscogee Indians, and whose names were stricken from said rolls without notice or hearing, and their heirs shall be enrolled by the commission.

Then, as a matter of fact, it will be for the commission to say who shall be enrolled or may not be enrolled.

Mr. LITTLE. The original bill provided for enrolling those citizens who were upon what is known as the Duncan roll, which was admitted by everybody to be a fair roll. You remember the discussion about that. It provided that after those on that roll, which was conceded to be all of the citizenship of the Creek Nation at the time it was made—those on that roll and their descendants should be put on by this commission, and those and their descendants were all who had citizenship.

Now, here is what we had in mind when we made the original provision. There was a roll made subsequent to that time upon which the payment of the scrip money was made—a roll that everybody who knew anything about it conceded was loaded down with fraud. Parties who made the roll, attorneys connected with it, conceded that everybody who would pay got onto the roll.

I believe that we provided that the only safe way for Congress to proceed in regard to that citizenship was to go to the Duncan roll, which was unquestioned, and provide, which we did in the Curtis law, that all persons on the Duncan roll and their descendants should be enrolled by the commission without question and that we would not be trapped by a roll which was made simply for the parties to get the scrip.

Mr. STEPHENS of Texas. This does not apply to the fraudulent roll; it provides for all persons once enrolled without fraud and whose names were stricken from the roll without notice or hearing. If they were once legally on the roll without fraud, and were stricken off without notice or hearing, it was nothing more than right that they should be placed back again on the roll.

Mr. CURTIS. I am advised that every one of these men have been heard by the Dawes Commission, and that they have appealed to the courts, and that the matter has been passed upon by both.

Mr. STEPHENS of Texas. It that is true, then this will not hurt anybody.

Mr. CURTIS. Why put them back?

Mr. SHERMAN. Your provision assumes that they were once on a roll which we now regard as the roll. You have reference to an old roll that existed in their old tribal relation, and not the roll that we are now operating under, and not the roll that the Dawes Commission makes up. You are talking about some old roll.

We took it under the Curtis Act, and we said to this Dawes Commission, "You take this Duncan roll, because that has been examined and tested and found correct; take it as prima facie evidence, and you add to that the name of every man who comes before you and makes out a case to your satisfaction that he ought to be upon that roll; and any man so applying and rejected by you may have the right of appeal to the United States court." Every single applicant has had an opportunity to have his day in court, and many of them have been added, and many more excluded.

A large part of those who have been excluded have appealed to

the United States courts, and the judgment of the Dawes Commission has been confirmed. Your amendment goes back of this roll to an old roll, not a legal roll at all, and brings in people who have neglected to take advantage of their day in court, because they knew they could not by legal evidence establish their right. They now wish to come in, not through the legal channel, but through Congressional action.

Mr. STEPHENS of Texas. They will be enrolled by the commission and be enrolled in the regular way.

Mr. SHERMAN. But the time has expired, and they know it.

Mr. STEPHENS of Texas. This Government can not afford to plead the statute of limitations against the heirship of these Indians.

Mr. SHERMAN. It seems to me that this is a case where the Government can afford to plead it, because the Government has not a dollar of interest in this matter. It is of no consequence to the Government whether there are 600 or 6,000 names on the roll; but it is a matter of the utmost importance to these people that only those should be on the roll who are honestly entitled to it, because it takes away from the people honestly entitled to the property so much of their proportion.

It is of no consequence to us; it does not take a dollar from the Treasury whether this amendment is put in or not, but we are here to see that the people are rightfully on the roll, and that those who ought not to be there shall not come in and partake in the division of this property. I think the amendment ought to be rejected.

Mr. FITZGERALD of New York. I should like to ask the gentleman from Texas if he still asks to have these words stricken out?

Mr. STEPHENS of Texas. Yes; I ask to have those words stricken out.

The question was taken, and the amendment was disagreed to.

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

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

And then, on motion of Mr. SHERMAN (at 9 o'clock and 45 minutes), the House adjourned until to-morrow at 12 o'clock noon.

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 Postmaster-General, relating to the disposition of useless papers in his Department—to the Joint Committee on Disposition of Useless Papers in Executive Departments, and ordered to be printed.

A letter from the Secretary of the Interior, recommending action on the agreements with the Muskogee or Creek and with the Cherokee Indians—to the Committee on Indian Affairs, and ordered to be printed.

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 James C. Campbell, administrator of estate of William K. Campbell, against the United States—to the Committee on War Claims, and ordered to be printed.

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 J. D. Smith, administrator of estate of Sidney R. Smith, and R. Bellum, administrator of estate of William R. Fleming, against the United States—to the Committee on War Claims, and ordered to be printed.

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 Benjamin F. Locke, administrator of estate of W. P. Pewitt, against the United States—to the Committee on War Claims, and ordered to be printed.

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 Hardy Summerline against the United States—to the Committee on War Claims, and ordered to be printed.

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 Richard T. Holleman against the United States—to the Committee on War Claims, and ordered to be printed.

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 Daniel Carmichael, administrator of estate of Hamilton Carmichael, against the United States—to the Committee on War Claims, 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. FLYNN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 7087) granting post of Fort Supply (now abandoned) and certain lands to the Territory of Oklahoma, reported the same with amendment, accompanied by a report (No. 1893); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the bill of the House (H. R. 4305) to provide for the erection of a monument to the memory of Travis, Bonham, Bowie, and Butler, for gallantry and heroism during the Mexican war, reported the same with amendment, accompanied by a report (No. 1896); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. UNDERHILL, from the Committee on Claims, to which was referred the bill of the House (H. R. 988) authorizing the Secretary of the Treasury to appoint commissioners to estimate damages done to planted oysters and oyster beds in Raritan Bay and adjoining waters in New York and New Jersey, and to make compensation therefor, reported the same without amendment, accompanied by a report (No. 1881); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 8934) for the relief of Daniel Cherry, of Henry County, Ala., reported the same with amendment, accompanied by a report (No. 1882); which said bill and report were referred to the Private Calendar.

Mr. PEARCE of Missouri, from the Committee on Claims, to which was referred the bill of the House (H. R. 6357) for the relief of William S. Brinton, reported the same with amendment, accompanied by a report (No. 1883); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 2778) authorizing and directing the Secretary of the Treasury to pay to Trinidad Uribe certain money due him, held in the registry of the circuit court of the United States for the western district of Texas but never paid over to him, reported the same without amendment, accompanied by a report (No. 1884); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4641) for the relief of the legal representatives of John Boyle, deceased, reported the same without amendment, accompanied by a report (No. 1885); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 6865) for the relief of Jacob A. Henry, reported the same with amendment, accompanied by a report (No. 1886); which said bill and report were referred to the Private Calendar.

Mr. SOUTHARD, from the Committee on Claims, to which was referred the bill of the Senate (S. 1008) for the relief of William C. Dodge, reported the same with amendment, accompanied by a report (No. 1887); which said bill and report were referred to the Private Calendar.

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1394) for the relief of Bvt. Col. Thomas P. O'Reilly, reported the same without amendment, accompanied by a report (No. 1890); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the joint resolution of the House (H. J. Res. 262) authorizing the President to appoint George W. Kirkman to be a captain in the Twenty-third Regiment of the United States Infantry and a major in the Forty-ninth Regiment of Infantry, United States Volunteers, reported the same with amendment, accompanied by a report (No. 1891); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10423) granting an honorable discharge to Charles E. Hofmann, late first lieutenant in Company H, Sixtieth Regiment of United States Colored Infantry, reported the same

without amendment, accompanied by a report (No. 1892); which said bill and report were referred to the Private Calendar.

Mr. KETCHAM, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9271) to remove the charge of desertion against Charles Schaupp, alias Phillip Schaupp, and authorizing his honorable discharge, reported the same with amendment, accompanied by a report (No. 1894); which said bill and report were referred to the Private Calendar.

Mr. STEVENS of Minnesota, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4020) for the relief of William Burke, reported the same with amendment, accompanied by a report (No. 1895); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2464) to remove the charge of desertion from the military record of Nicholas Swingle, reported the same with amendment, accompanied by a report (No. 1897); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 792) for the relief of William H. Hugo, reported the same without amendment, accompanied by a report (No. 1898); which said bill and report were referred to the Private Calendar.

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3148) to correct the military record of William Lapoint, reported the same without amendment, accompanied by a report (No. 1899); which said bill and report were referred to the Private Calendar.

Mr. STEVENS of Minnesota, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6492) to correct the military record of James Donahue, reported the same with amendment, accompanied by a report (No. 1900); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table as follows:

Mr. UNDERHILL, from the Committee on Claims, to which was referred the bill of the House (H. R. 9856) for the relief of James I. Friend, reported the same adversely, accompanied by a report (No. 1888); which said bill and report were laid on the table.

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 575) for the relief of Herbert Cushman, reported the same adversely, accompanied by a report (No. 1889); which said bill and report were laid on the table.

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. LEVY: A bill (H. R. 12048) transferring the appointive and disbursing power relative to the Paris Exposition of 1900 from the Commissioner-General for the United States to the Secretary of State, and for other purposes—to the Committee on Appropriations.

By Mr. LENTZ (by request): A bill (H. R. 12049) to establish a gold currency and a silver currency on a basis of interchangeable value throughout the world—to the Committee on Banking and Currency.

Also (by request), a bill (H. R. 12050) to fix the denominations of gold and silver coins to be issued by the United States, and to establish the free coinage thereof—to the Committee on Coinage, Weights, and Measures.

By Mr. SCUDDER: A joint resolution (H. J. Res. 265) directing the Secretary of War to submit plans and estimates for the improvement of Jacksons Creek, in the town of Hempstead and county of Nassau, N. Y.—to the Committee on Rivers and Harbors.

By Mr. MIERS of Indiana: A resolution (H. Res. 288) requesting from Secretary of Interior names of all widows dropped from pension rolls since June 1, 1898—to the Committee on Invalid Pensions.

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. BOUTELL of Illinois: A bill (H. R. 12051) for the relief of Homer B. Galpin, receiver, and so forth—to the Committee on Claims.

By Mr. FITZGERALD of Massachusetts: A bill (H. R. 12052) granting a pension to Annie Austin—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12053) granting a pension to Jane Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12054) granting a pension to Dr. E. S. Leonard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12055) granting an increase of pension to Arthur B. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12056) for the relief of N. Weston, postmaster at Bridgeport, Mich.—to the Committee on Claims.

By Mr. GROUT: A bill (H. R. 12057) granting a pension to Julia Aldrich—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 12058) granting a pension to Anderson G. Pittman—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 12059) to authorize George William Hill to accept the appointment of officer of the Mérite Agricole of France—to the Committee on Foreign Affairs.

By Mr. LENTZ: A bill (H. R. 12060) to correct the military record of John Bowling—to the Committee on Military Affairs.

By Mr. RAY of New York: A bill (H. R. 12061) granting an increase of pension to Henry S. Topping—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 12062) for the relief of the heirs of Samuel T. Carrow, deceased—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 12063) granting an increase of pension to Eugene M. Hawes—to the Committee on Invalid Pensions.

By Mr. RANSDELL: A bill (H. R. 12064) for the relief of Evelyn Clark—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 12065) granting an increase of pension to James A. Crilley—to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 12066) for the relief of Capt. Henry L. Heckmann—to the Committee on War Claims.

Also, a bill (H. R. 12067) for the relief of the estate of the late B. F. Richardson—to the Committee on War Claims.

By Mr. PHILLIPS: A bill (H. R. 12068) granting an increase of pension to Oscar Brewster—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FINLEY: Petition of South Carolina Pharmaceutical Association, for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Petitions of Woman's Christian Temperance Union and Meeting of Friends of Fall River, Mass., and the Methodist Episcopal Church of Sandwich, Mass., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. HALL: Papers to accompany House bill No. 7587, granting an increase of pension to George W. Gates, of Nittany, Pa.—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Petitions of the Woman's Christian Temperance Union, and Baptist Young People's Union, of Washington, Ind., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. PUGH: Papers to accompany House bill No. 12016, granting a pension to Isaac Pack—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: Paper to accompany House bill for the relief of Fritz Kloeppel—to the Committee on Pensions.

By Mr. STEVENS of Minnesota: Resolutions of the Commercial Club of St. Paul, Minn., against the bill to abolish trading checks—to the Committee on the Judiciary.

Also, resolution of the Homeopathic Institute of Minnesota, urging the passage of a bill to establish a national park at the head waters of the Mississippi River, in Minnesota—to the Committee on the Public Lands.

By Mr. WRIGHT: Petition of Agnes C. Gill and others, of Montrose, Pa., favoring joint resolution for the submission of an anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

SENATE.

SATURDAY, *June 2, 1900.*

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

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

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

MILITARY STATISTICS RELATIVE TO THE PHILIPPINES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response