SENATE.

WEDNESDAY, *June 25, 1902.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

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

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

CLAIM OF THE STATE OF VERMONT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the claim of the State of Vermont, amounting to $291,408.56, allowed by the Auditor for the War Department, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

CHINESE EXCLUSION LAW.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Acting Commissioner-General of Immigration, submitting an estimate of deficiency in the appropriation for the enforcement of the Chinese-exclusion act for the fiscal year 1902, $15,000; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

CUSTOMS REVENUE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate in the sum of $150,000, additional appropriation for expenses of collecting revenue from customs for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

LIST OF JUDGMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 23d instant, a list of judgments rendered by the Court of Claims not heretofore reported to Congress; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

ESTIMATES OF APPROPRIATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting supplemental estimates of appropriation required by the several departments of Congress to complete the services of the Government for the fiscal year ending June 30, 1902, and for prior years, amounting to $22,554.11, and for the postal service, payable from customs revenues, amounting to $224.64; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

LIST OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of claims amounting to $57,333.56 allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT pro tempore. On yesterday the Chair laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 23d instant, a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases requiring an appropriation by Congress, and ordered that it be referred to the Committee on Appropriations without printing. The Chair suggests that the communication had better be printed, and if there be no objection, it will be so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the second report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 13213) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes.

The message also announced that the House had passed a joint resolution (H. J. Res. 182) authorizing the Director of the Census to compile statistics relating to irrigation; in which it requested the concurrence of the Senate.

The message further returned to the Senate, in compliance with its request, the message of the Senate disagreeing to the amendment of the House of Representatives to the bill (S. 4284) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, and asking a conference with the House thereon.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12804) making appropriations for the support of the Army for the fiscal year ending June 30, 1903, further insists upon its amendment to the amendment of the Senate numbered 15, recedes from its adherence to the amendment of the Senate numbered 14, and agrees to the same with amendments; in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (S. 1026) to fix the compensation of district superintendents in the Life Saving Service;

A bill (S. 3375) relating to the construction of a dam across Rainy River;

A bill (S. 3746) to amend section 2593 of the Revised Statutes, relating to ports of entry;

A bill (S. 6178) to amend section 4 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902;

A bill (H. R. 2063) amending an act creating the middle district of Pennsylvania;

A bill (H. R. 2066) to change the terms of the district court for the eastern district of Pennsylvania; and

A bill (H. R. 8840) granting an increase of pension to John H. Lauchly.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a petition of South Bend Lodge, No. 218, International Association of Machinists, of South Bend, Ind., praying for the passage of the so-called eight hour-bill; which was referred to the Committee on Education and Labor.

Mr. BURROWS presented a petition of Wayne Lodge, No. 508, Brotherhood of Locomotive Firemen, of Detroit, Mich., praying for the enactment of legislation providing for the irrigation and reclamation of the arid lands of the West; which was ordered to lie on the table.

He also presented petitions of Amasa B. Watson Post, Department of Michigan, Grand Army of the Republic, of Grand Rapids, and of Phil Sheridan Post, No. 4, Department of Michigan, Grand Army of the Republic, of Reading, in the State of Michigan, praying for the enactment of legislation to modify and simplify the pension laws; which were referred to the Committee on Pensions.

He also presented petitions of Muskegon Lodge, No. 170, of Muskegon; of Twin City Lodge, No. 475, of St. Joseph; of Ionia Lodge, No. 385; of Detroit Lodge, No. 82, of Detroit; of Kalamazoo Lodge, No. 429, of Kalamazoo, all of the International Association of Machinists; of Iron Molders' Local Union No. 225, of Lansing; of the Pattern Makers' Association of Grand Rapids; of Iron Molders' Local Union No. 104, of Albion; of the Pattern Makers' Association of Detroit, and of the Twin City Trades and Labor Assembly, of Benton Harbor, all in the State of Michigan, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. SPOONER presented petitions of the Milwaukee Association of Methodist Ministers, of Milwaukee; of the congregations of the Baptist, Christian, Methodist, Episcopal, Presbyterian, and United Brethren churches of Richland Center, all in the State of Wisconsin, praying for the enactment of a Sunday rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented the petition of Oscar Strand and 30 other citizens of Wisconsin, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of the Wisconsin Sunday Rest Day Association, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Soldiers' Homes and at immigrant stations; which was ordered to lie on the table.

He also presented a petition of the common council of Milwaukee, Wis., praying for the enactment of legislation granting pensions to certain officers and enlisted men in the Life-Saving Service; which was referred to the Committee on Pensions.

Mr. PENROSE presented a petition of 43 citizens of Carbondale, Pa., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of 2,674 citizens of Philadelphia, Pa., praying for the adoption of certain amendments to the

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internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

STATE CLAIMS.

Mr. COCKRELL. I ask unanimous consent to have an opinion of the Comptroller of the Currency in regard to State claims for expenses incurred in enrolling, equipping, paying, and transporting troops employed in suppressing the war of the rebellion printed as a separate document, and that it be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the opinion will be printed as a document, and referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 15108) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, to report it with amendments, and to submit a report thereon. I give notice that I shall call the bill up for consideration either late this afternoon or the first thing to-morrow morning.

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

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 4611) to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania, reported it with an amendment, and submitted a report thereon.

Mr. McLAURIN of Mississippi, from the Committee on Public Lands, to whom was referred the bill (S. 6232) for the relief of I. I. Barber, reported it with amendments, and submitted a report thereon.

Mr. QUAY submitted a report to accompany the bill (S. 5956) to provide for the allotment of lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes, heretofore reported by him.

Mr. PRITCHARD, from the Committee on Patents, to whom was referred the bill (S. 2160) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher, reported it without amendment, and submitted a report thereon.

NATIONAL APPALACHIAN FOREST RESERVE.

Mr. PRITCHARD. I move that the bill (S. 492) for the purchase of a national forest reserve in the Southern Appalachian Mountains, which was reported by me on February 5 last and is now on the Calendar, be indefinitely postponed. The bill (S. 5228) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve," which was reported some time ago from the Committee on Forest Reservations and Protection of Game, as a substitute for the bill reported by me from the same committee, was passed yesterday by the Senate. The substitute is identically the same bill as the one reported by me with the exception that it provides for certain machinery necessary for carrying out the purposes of the bill reported by me.

The PRESIDENT pro tempore. The Senator from North Carolina moves that Senate bill No. 492 be indefinitely postponed.

The motion was agreed to.

BILLS INTRODUCED.

Mr. SPOONER introduced a bill (S. 6282) granting an increase of pension to Jane A. Ward; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 6283) granting an increase of pension to George W. Ellis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 6284) to amend the act of August 8, 1888, 25 Statutes at Large, chapter 787; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BARD introduced a bill (S. 6286) prohibiting the killing or taking of seals, porpoises, whales, or marine animals, or fish of any kind in the waters of the United States by means of explosive materials, and for other purposes; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. QUAY introduced a bill (S. 6285) to prevent obstructive and injurious deposits within the harbor and adjacent waters of Philadelphia, by dumping or otherwise, and to punish and prevent such offenses; which was read twice by its title.

Mr. QUAY. I desire to say, Mr. President and Mr. Chairman of the Committee on Commerce, that this bill is an exact transcript of the law relating to the harbor of New York. It has been prepared and forwarded by the Maritime Exchange of Philadelphia, and it is exceedingly desirable that it should be passed through both branches before the adjournment of Congress. I should be very glad if the Committee on Commerce would act upon it promptly.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Commerce.

AMENDMENTS TO THE DEFICIENCY APPROPRIATION BILL.

Mr. PENROSE submitted an amendment proposing to revive and continue in force section 2 of the deficiency appropriation act approved May 18, 1872, relative to the performance of all labor in excess of eight hours per day, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Education and Labor, and ordered to be printed.

He also submitted an amendment, proposing to appropriate $1,500 to pay Sadie Thome, widow of S. W. Thome, who lost his life March 19, 1897, while United States consul at Asuncion, Paraguay, South America, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

CHIPPEWA INDIANS IN MINNESOTA.

The PRESIDENT pro tempore laid before the Senate the bill (S. 4284) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, returned from the House of Representatives in compliance with the request of the Senate.

Mr. CLAPP. I move that the Senate reconsider the votes by which the Senate disagreed to the amendments of the House and sent the bill to conference.

The motion to reconsider was agreed to.

Mr. CLAPP. I now move to concur in the amendments of the House of Representatives.

The motion was agreed to.

HOUSE JOINT RESOLUTION REFERRED.

The joint resolution (H. J. Res. 182) authorizing the Director of the Census to compile statistics relating to irrigation was read twice by its title, and referred to the Committee on the Census.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 23d instant approved and signed the following act and joint resolution:

An act (S. 282) providing for the appointment of James W. Long, late a captain, United States Army, a captain of infantry, and for placing his name on the retired list; and

A joint resolution (S. R. 100) authorizing the Secretary of War to furnish condemned cannon for an equestrian statue of the late Maj. Gen. William J. Sewell, United States Volunteers.

The message also announced that the President of the United States had on the 24th instant approved and signed the following act and joint resolution:

An act (S. 5906) declaring the Osage River to be not a navigable stream above the point where the line between the counties of Benton and St. Clair crosses said river; and

A joint resolution (S. R. 92) providing for the publication of 200,000 copies of the Special Report on the Diseases of the Horse.

ORDER OF BUSINESS.

Mr. GALLINGER. Mr. President, I would be pleased to have laid before the Senate a resolution offered by me yesterday.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

Mr. QUAY. Will the Senator from New Hampshire yield to me?

Mr. GALLINGER. I yield to the Senator from Pennsylvania for a statement.

OKLAHOMA, ARIZONA, AND NEW MEXICO.

Mr. QUAY. I desire to mention, Mr. President, in connection with the notice I gave yesterday that hereafter no business should proceed in the Senate by unanimous consent while I was present in the Senate, that I have no desire, nor have the majority of the Senate, who are with me upon this subject, any desire, nor have the minority of the Committee on Territories any desire, if it can be at all avoided, to interfere with the ordinary conduct of business and a speedy adjournment. We desire nothing from the majority of the Committee on Territories except some assurance of a day in court. It matters not to us if the committee will report the statehood bill at this session negatively, or without recommendation, or favorably. I appeal to the Senator from Indiana [Mr. BEVERIDGE] to say whether that can be done at the present session.

Mr. BEVERIDGE. Mr. President, as I stated the other day,

the majority of the committee have already taken affirmative action looking to a consideration and report on the bill at an early day at the next session, and that resolution was made by the majority of the committee in perfect good faith. If what the Senator means is the fixing of a definite time early in the next session, I am willing to say that the committee will report on the bills now before it on the third day of the next session, if that is satisfactory to the Senator.

Mr. QUAY. That is satisfactory so far as I am concerned, and I speak for at least the Republicans who are disposed to vote with me to discharge the committee. It will be satisfactory to all, I think, and I will withdraw my motion, if there is connected with it the unanimous consent of the Senate to take up the bill on the 10th of December and make it the special order until disposed of.

Mr. ALDRICH. To make it the regular order, not a special order.

Mr. QUAY. Making it the regular order until disposed of.

Mr. BERRY. Making it the unfinished business.

Mr. QUAY. Making it the unfinished business until disposed of. The idea is to give it the right of way until we get rid of it. I ask the unanimous consent of the Senate to that arrangement, that it be made the unfinished business, and with that understanding I will withdraw the motion.

The PRESIDENT pro tempore. The Senator from Indiana has stated in open Senate that the Committee on Territories will report on the bill referred to by the Senator from Pennsylvania on the third day of the next session.

Mr. BEVERIDGE. That is correct.

The PRESIDENT pro tempore. Thereupon the Senator from Pennsylvania asks unanimous consent that on the 10th day of December——

Mr. QUAY. If the Senate is not in session on the 10th, then on the next session of the Senate thereafter.

Mr. BATE. That is on Wednesday.

Mr. ALDRICH. The Senate will be in session.

The PRESIDENT pro tempore. If the Senate is in session on that day, and if not the next day following when it is in session, the bill reported shall be made the unfinished business.

Mr. ALDRICH. That is right.

The PRESIDENT pro tempore. Is there objection?

Mr. BAILEY. Mr. President——

Mr. BATE. Mr. President, in reply to what was said by the Senator from Pennsylvania, as he seems to speak for the other side of the Chamber, I desire to say for the Democrats on this side of of the Chamber, and I feel authorized to do so—that we are a unit in favor of the bill and desire immediate action if we could get it. Now, it seems that we can not get immediate action, and failing in that, I hope the proposition of the Senator from Pennsylvania will be accepted. I am upon that Committee on Territories, being the first named among the Democrats upon it, and I feel that I can, with both propriety and authority, speak for them in this behalf. Therefore we accept the proposition, as we can get no vote on the bill this session. I repeat, that every Democrat in the Senate favors immediate admission into statehood of the Territories of Oklahoma, Arizona, and New Mexico, and regret we can not get immediate action on the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. SPOONER. Mr. President, I intend, so far as I am concerned, to consent, but I consent, as one member of the Senate, because I think it is a fair proposition that a time should be fixed for considering the bill and not at all in view of the threat of the Senator that if this consent be not given the business of the Senate will be interfered with during the session. I hope the Senator from Pennsylvania will not put it in that way.

Mr. QUAY. The Senator from Pennsylvania did not put it in that way. I did give notice that I would insist upon taking up the bill and at the proper time would use all parliamentary rights to secure a vote on it. That was the notice yesterday. It was simply fairly and openly made in the Senate, that I would do what was done yesterday under the eyes of the Senator from Wisconsin.

Mr. SPOONER. I was not referring to what the Senator said yesterday, but I referred to what he said a moment ago.

Mr. QUAY. I certainly conveyed no threat, but simply asked unanimous consent to consider the bill.

Mr. ALDRICH. Has the agreement been made?

The PRESIDENT pro tempore. It has not. The Chair has been requested to restate it, and will state it again.

The Senator from Indiana, the chairman of the Committee on Territories, has stated in open Senate to-day that the committee will report on the Territorial bill, so called, on the third day of the next session of Congress. Thereupon the Senator from Pennsylvania asks unanimous consent that on the tenth day, if the Senate is in session, and on the first day thereafter it may be in session if not on the tenth, the bill shall be made the unfinished business.

Mr. ALDRICH. That is right.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the order is made.

Mr. QUAY. Now, Mr. President——

The PRESIDENT pro tempore. The Senator from Pennsylvania withdraws his motion.

Mr. QUAY. The motion is withdrawn.

CUBAN RECEIPTS AND EXPENDITURES.

Mr. PLATT of Connecticut. Mr. President, the Secretary of War, under the impression that the Committee on Relations with Cuba was still charged with the duty of investigating and reporting to the Senate an itemized statement of the receipts and expenditures in Cuba during the military occupation, has forwarded to me as chairman of that committee a detailed statement of the receipts and expenditures aforesaid during the months of May and June, 1900. That committee had already furnished to the Senate such a statement up to the 30th of April, 1900. This covers two additional months, May and June, and has been prepared by the Secretary of War. But as the committee is no longer charged with that duty, I present the statement to the Senate and ask that it may be referred to the committee and ordered printed. I am not sure whether that motion can be adopted or whether it should be referred to the Committee on Printing for its report.

The PRESIDENT pro tempore. The Chair does not understand that it is necessary to go to the Committee on Printing.

Mr. GALLINGER. Not at all.

The PRESIDENT pro tempore. If no objection is made, it can be referred to the Senator's committee, and its printing will be ordered if there be no objection.

Mr. MONEY. I should like to ask the chairman a question. When was this statement received by the chairman?

Mr. PLATT of Connecticut. A few days ago; perhaps a week ago. I ought to have presented it earlier, but I omitted it because there was some matter——

Mr. MONEY. This I understand is detailed information which, by resolution of the Senate, was called for in April, 1900, over two years ago?

Mr. PLATT of Connecticut. Yes; but that call embraced only the time to April 30, 1900. This is now a statement of two additional months that has been voluntarily sent by the Secretary of War to me as chairman of the committee, and he is still engaged in the preparation of the whole account up to the time of our evacuation. This is the first installment of it.

Mr. MONEY. If it takes the Department two years to present the information to that time, I do not know whether we will live to be old enough to get the conclusion of the business.

Mr. PLATT of Connecticut. If the Senator will permit me, I think he was not in the Senate the other day when, a resolution having been presented by the Senator from Colorado [Mr. TELLER] calling upon the Secretary of War for this information, I said the Secretary had already commenced to prepare and furnish the information which was called for in that resolution. This is a part of what he has voluntarily done.

Mr. MONEY. I should like to have some further information on that point. Is it proposed under the resolution that the Department shall continue to furnish the information of the expenditures up to the 20th of May?

Mr. PLATT of Connecticut. I did not quite understand the Senator, but I will state——

Mr. MONEY. I will endeavor to make myself clear. I should like to ask the Senator if the Department proposes to furnish up to the date of the evacuation, the 20th of May, a detailed statement such as was required by the resolution of April, 1900?

Mr. PLATT of Connecticut. The Department does intend to furnish a complete itemized statement of receipts and expenditures up to the 20th of May of this year, when we surrendered the occupation of the island to its Government. It is now engaged in that business and has a large force of clerks employed upon it. Of course, it is very voluminous matter and it will take some time to complete it. This is the first installment of that information.

Mr. MONEY. Now, as I understand from the Senator, this is a voluntary offer of the Secretary of War, not in obedience to any requirement made by the Senate for information in April, 1900, I believe. I should like to inquire whether we are to have all the other detailed information, the orders both general and special made by the military governor of Cuba up to May 20. If not, then I desire to introduce a resolution requesting the Secretary of War to furnish it. But perhaps that will be unnecessary, if the Senator can tell me whether it is contemplated that it shall be included in the report.

Mr. PLATT of Connecticut. I do not think it is contemplated that that should be included in this report. All those orders, I think, are in print in the Secretary's office. The Secretary of War would, doubtless, be very glad to send them to the Senate,

if he was called upon for that purpose. If the Senator will introduce a resolution to that effect, I have no doubt it will be passed without objection and will be complied with at no distant day.

Mr. CULBERSON. Mr. President, I should like to ask the Senator from Connecticut a question. I understand the resolution introduced the other day by the Senator from Colorado was confined to disbursements made by the military governor with reference to the question of reciprocity, and consequently I ask the Senator from Connecticut if an answer to that resolution is included in this report which he makes now?

Mr. PLATT of Connecticut. No; I presume not, because it occurred after the time to which these accounts relate.

Mr. CULBERSON. I will ask the Senator if it is contemplated that that resolution shall be answered? What has become of the resolution?

Mr. PLATT of Connecticut. I do not know exactly the form of the resolution of the Senator from Colorado. He has it in his hand.

Mr. TELLER. I have it here. Shall I read it?

Mr. PLATT of Connecticut. Yes.

Mr. TELLER. This is the resolution that I offered:

Whereas it seems impracticable to prepare during this session of Congress an itemized statement showing the collection and disbursement of all funds for the whole period of the military occupation of Cuba; and

Whereas it is important that a statement be now made of the accounts hereafter named: Therefore, be it

Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate the following:

A full itemized statement of all payments made out of Cuban funds to any persons or corporations, if any, for the purpose of promoting "reciprocity" between the United States and Cuba, at any time during the military occupation of Cuba by the United States, and whether such payments were authorized or approved by the Secretary of War.

The Senator from Connecticut objected to that, and it went over. The Senator from Connecticut stated to me that he had called upon the Department for that information, as I understood him, and said that I could let my resolution lie over or pass it. I did not see any object in passing it if the information was going to be furnished, so I let it lie on the table subject to my call. I understand the Senator has not yet received a reply to it.

Mr. CULBERSON. My inquiry, in view of the Senator's statement, was whether or not there was an answer to this particular resolution, because the Senator from Connecticut referred to that resolution, in the statement which was made by the Secretary of War. If the Senator from Connecticut proposes to have that resolution answered without being adopted or to furnish the information suggested by it, that is entirely satisfactory to me, of course, if it is to the Senator from Colorado.

Mr. PLATT of Connecticut. I think perhaps I was in error in saying that the Senator from Colorado introduced a resolution calling for itemized accounts of receipts and expenditures.

Mr. TELLER. No, I did not.

Mr. PLATT of Connecticut. I think that resolution was introduced by the Senator from Texas, was it not?

Mr. CULBERSON. I did introduce a general resolution some weeks ago.

Mr. PLATT of Connecticut. This installment is more in reply to the information required by the Senator from Texas than in reply to the information called for in the resolution of the Senator from Colorado. I stated to the Senator from Colorado that I had called upon the Secretary of War for the information contemplated in his resolution and that he told me the vouchers were all in Cuba, and he had telegraphed to the officer—I think his name was Steiniert—who was left in charge of those accounts to send all the vouchers here. I have heard nothing about it since that time. I will say furthermore that I understand a resolution has been passed in the House of Representatives calling for the information which the Senator from Colorado desires. If he wishes to pass his resolution now I have no possible objection to it.

Mr. TELLER. I understand there was a resolution passed by the House, and I do not care about calling up the resolution at this particular time. I think I shall call it up, but I should like to wait. For the present I desire that it may lie on the table just as it is, subject to my call.

The PRESIDENT pro tempore. Without objection, the papers presented by the Senator from Connecticut will be referred to the Committee on Relations with Cuba and printed.

NEW MEXICO, OKLAHOMA, AND ARIZONA.

Mr. BEVERIDGE. Mr. President, I desire to offer a resolution for reference to the Committee on Contingent Expenses. I had expected to offer it when the motion of the Senator from Pennsylvania [Mr. QUAY] was disposed of; and now that an agreement has been reached, I offer it.

The resolution was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Territories be, and it hereby is, authorized to sit during the recess of the Senate, at such times and places as it may desire, for the purpose of considering bills for the admission of the Territories of New Mexico, Oklahoma, and Arizona to statehood, and to send for persons and papers, take testimony, and employ a stenographer, and that the expenses incurred shall be paid from the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

CHEROKEE INDIAN LANDS.

Mr. QUAY. Mr. President——

Mr. GALLINGER. I yield to the Senator from Pennsylvania.

Mr. QUAY. I desire to ask unanimous consent that on Friday, after the routine morning business, Senate bill No. 5956 shall be taken up and considered. It is a bill for the allotment of the lands of the Cherokee Nation.

Mr. HALE. Not to interfere with appropriation bills?

Mr. QUAY. Oh, certainly; not to interfere with appropriation bills. If any explanation is desired, I have to say that it is a bill to authorize or legalize an agreement with the Cherokee Nation. Agreements were made in 1901 with all the Five Civilized Tribes. They were all voted upon. The Cherokee Nation voted down the agreement submitted to them. An agreement has now been arrived at, indorsed by the Cherokees, by the Department of the Interior, and by the Dawes Commission, which it is necessary should pass both branches of Congress before the adjournment. It ought to be ratified immediately by the Cherokees, as provision is made in it for ratification within the next forty days, matters in the Cherokee Nation being in a very chaotic and depressing condition.

Mr. SPOONER. I will ask the Senator if it is likely to be a contested case?

Mr. QUAY. I think not.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that next Friday, after the completion of the routine morning business, the bill indicated by him shall be taken up for consideration, not, however, to interfere with conference reports or appropriation bills. The Secretary will read the title of the bill.

The SECRETARY. A bill (S. 5956) to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes.

The PRESIDENT pro tempore. Is there objection?

Mr. ALDRICH. What is the request? Is it to be continuing?

The PRESIDENT pro tempore. The request is that the bill shall be taken up immediately following the conclusion of the routine morning business on Friday next for consideration, not to interfere with conference reports or appropriation bills.

Mr. BAILEY. I want to examine that bill before it is taken up, and I shall object for the present, at least.

The PRESIDENT pro tempore. The Senator from Texas objects.

Mr. BAILEY subsequently said: Mr. President, a few moments ago when the Senator from Pennsylvania [Mr. QUAY] asked for unanimous consent that the bill (S. 5956) to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes, be made the special order for Friday next, I objected until I could examine the bill. I find that it is exceedingly desirable that the bill shall be considered and passed. It is doubtful whether I shall have time today to examine it as closely as I should wish, but I do not desire to interfere with its consideration, and therefore I withdraw my objection and trust that I may be able to examine the bill between this time and the time proposed to be fixed for its consideration.

The PRESIDENT pro tempore. Is there objection to the request heretofore submitted by the Senator from Pennsylvania [Mr. QUAY] that the Senate proceed to the consideration of the bill just referred to by the Senator from Texas [Mr. BAILEY] after the completion of the morning business on Friday next, not, however, to interfere with appropriation bills or conference reports?

Mr. ALDRICH. And for that day only.

The PRESIDENT pro tempore. The Senator from Rhode Island [Mr. ALDRICH] adds "and for that day only."

Mr. ALDRICH. I have been insisting upon that provision in all such agreements. It must be very evident to the Senate that we can not possibly agree to these unanimous consents without some agreement as to the time of consideration at this stage of the session, unless we want to give the entire time to some one measure, and I assume that is not our purpose.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania [Mr. QUAY] with the addition suggested by the Senator from Rhode Island [Mr. ALDRICH] "and for that day only."

Mr. MASON. Mr. President, I do not intend to object if I can get the information I want in regard to the bills known as pure-food bills, which I supposed were to be heard and determined. I should like to ask the chairman of the Committee on Manufactures if the request for unanimous consent will take precedence over the pure-food bills reported by the Committee on Manufactures?

Mr. McCUMBER. There has been no time fixed for the vote

upon the pure-food bill. It is up for discussion this morning, with the agreement or understanding that it shall not be pressed to a final vote. That is the only arrangement that has been made.

Mr. MASON. Then, Mr. President, I feel constrained to object. I should like to have some arrangement made which will provide for a vote upon this matter of pure-food legislation, which has been reported for months.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. MASON] objects.

Mr. QUAY subsequently said: Will the Senator from New Hampshire yield to me?

Mr. GALLINGER. I will yield to the Senator from Pennsylvania for the purpose of making a request.

Mr. QUAY. I desire to renew my request to take up Senate bill 5956 on Friday after the routine morning business, the Senator from Texas and the Senator from Illinois having withdrawn their objection.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that on Friday morning, immediately after the completion of the routine morning business, the Senate shall proceed to the consideration of the bill (S. 5956) to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes, not to interfere with appropriation bills or conference reports.

Mr. QUAY. And the order to be made but for one day, in accordance with the agreement.

The PRESIDENT pro tempore. The order to be made for one day only. Is there objection?

Mr. TILLMAN. I think the Senator from Pennsylvania made the same request this morning, and the Senator from Texas [Mr. BAILEY] objected.

Mr. QUAY. The Senator from Texas has withdrawn his objection.

Mr. TILLMAN. If he has withdrawn it, all right, but I observe that he is not at this moment in the Chamber.

The PRESIDENT pro tempore. The Chair hears no objection, and the order is made.

ORDER OF BUSINESS.

Mr. PETTUS. Mr. President——

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

Mr. GALLINGER. I yield to the Senator.

Mr. PETTUS. I desire, with the permission of the Senator from New Hampshire, to ask for the present consideration of House bill 12764. It is an important bill for the public generally, and it is a short bill.

Mr. GALLINGER. Can the Senator give me assurance that it will not lead to prolonged debate? One or two Senators—I think two Senators—have suggested to me that the bill will be debated at some length.

Mr. ALDRICH. What is the bill? I ask that the title may be read.

Mr. PETTUS. It is a bill granting appeals from the Spanish court of claims.

Mr. HALE. Appeals where?

Mr. COCKRELL. To the Supreme Court.

Mr. BATE. To the Supreme Court of the United States.

Mr. PETTUS. On law questions.

Mr. NELSON. Mr. President, I am opposed to that bill, and I shall have to object to its consideration.

The PRESIDENT pro tempore. The Senator from Minnesota objects to the present consideration of the bill.

Mr. GALLINGER. Mr. President, I rose to address myself to the resolution I offered yesterday, and I presumed that under the custom, if not the rules of the Senate, I would have the right to proceed, but I notice by the Calendar that the Senator from North Dakota [Mr. MCCUMBER] gave notice that he would ask this morning, after the routine morning business, for the consideration of Senate bill 3342, which has been under consideration two or three times. The Senator assures me that what he expects to accomplish this morning will not occupy more than half an hour, and, with the understanding that I will be permitted to proceed when the Senator from North Dakota concludes, I will yield to the Senator from North Dakota.

Mr. MONEY. I ask the Senator from North Dakota to yield to me for the introduction of a resolution for present consideration, which I think will not take a minute. If there is any objection, I will withdraw it.

Mr. MCCUMBER. I yield, with pleasure.

ORDERS OF GOVERNOR-GENERAL OF CUBA.

Mr. MONEY. I offer a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved by the Senate, That the honorable Secretary of War be, and is hereby, directed to furnish to the Senate at his earliest convenience copies of all orders, general and special, issued by the governor-general of Cuba from date of the beginning of his administration up to May 20, 1902.

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

Mr. SPOONER. Let it go over.

Mr. PLATT of Connecticut. I suggest to the Senator from Mississippi that perhaps he ought to specify more particularly both military orders and civil orders. I make that suggestion.

Mr. MONEY. I mention all orders, general and special. If that is the only objection I will amend by inserting "civil and military." But I thought the phraseology covered everything.

Mr. SPOONER. Let it go over until to-morrow.

The PRESIDENT pro tempore. Objection being made, the resolution goes over.

HAWAIIAN INVESTIGATION.

Mr. JONES of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Oregon [Mr. MITCHELL] on the 13th instant, to report it favorably without amendment; and I ask for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Pacific Islands and Porto Rico be, and is hereby, authorized and directed to investigate, inquire into, and ascertain the general condition of the islands of Hawaii, the administration of the affairs thereof, the area, condition, quality, and value of the public lands, the leasing, selling, or disposing thereof, and to make such recommendations as may be deemed necessary; to investigate and ascertain the area, condition, quality, and value of the crown lands, the rents, issues, or other revenues or proceeds received therefrom since January 17, 1893; whether or not the former queen of said islands now possesses any legal or equitable right, title, or interest in or to the same; the granting of franchises or other privileges, the question of immigration, the condition of labor therein, and to inquire into and report upon all other necessary matters pertaining to the executive, legislative, judicial, educational, tax, school, financial, and other systems thereof.

For the purposes aforesaid said committee, or a subcommittee thereof appointed by the chairman, shall have power to send for persons and papers, to visit the islands, to administer oaths, to sit during the recess of Congress; and said committee shall report at the beginning of the next session of Congress the result of its investigations, the expenses of said investigation to be paid out of the contingent fund of the Senate.

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

Mr. ALDRICH. Let it go over.

The PRESIDENT pro tempore. Objection being made, the resolution goes over.

EMPLOYMENT OF STENOGRAPHER.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PRITCHARD on the 23d instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Patents be, and it is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such testimony as may be taken by the committee or its subcommittee in connection with bills pending before it, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

FOOD ADULTERATION, ETC.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3342) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes.

Mr. MCCUMBER. Mr. President, when we had this bill last under consideration I was attempting to answer some of the objections urged on the part of the Senator from Connecticut and the Senator from Arkansas. I was stopped by reason of the limitation of time. I wish now to complete my remarks upon the bill and to answer, as I believe I can, fully the objections which have been urged by both of those Senators, as well as to give some new light upon the questions that were asked by the Senator from New Hampshire.

Mr. President, I ask for this bill, coming as it does with the unanimous report of the Committee on Manufactures, without any objection from a single member of that committee, and after very full and thorough consideration by that committee, the candid and honest consideration which a report of that kind seems to me to demand.

This is not a political question, Mr. President, in any sense whatever. The bill was considered by this committee with a view to eliminating every possible charge or claim that it might in any way possibly interfere with the police powers of the States. I believe that the efforts of the committee in that line have been eminently successful and that no valid objection can be urged against the bill upon that ground only. Of course I can not and will not attempt to answer any inherited prejudice, a prejudice which will be aimed at the right of the Government to determine what is interstate commerce and to regulate that interstate commerce. I shall not attempt to answer arguments which will deny

the force and effect of the judicial reasoning and the judicial decisions of the Supreme Court of the United States for the last forty years; but all other objections to this bill I believe can be successfully answered, and I shall be glad to reply to any arguments or any questions that may be propounded by those who are opposed to this bill.

We all know, Mr. President, that most stringent laws have been passed by the States for the purpose of protecting the inhabitants thereof against deleterious foods, adulterated foods, and misbranded foods. Every man in the Senate knows how ineffectual those laws have been, and he knows, if he has given the subject any consideration whatever, the reason for the ineffectiveness of those laws. From all those States comes practically the same complaint. They say that their efforts to prevent the dissemination and the consumption in their States of these fraudulent articles of food have been paralyzed because of the interstate provision of the Constitution of the United States. How can they protect against the introduction into their respective States of a misbranded or a fraudulent or a spurious article of food? How can they reach the evil when the State can not in any way reach the manufacturer of these products and when Congress, by reason of its inaction, stands back and practically, by a rule of judicial construction, insists that any article of food product, whether it be deleterious, whether it be misbranded, whether it be fraudulent or adulterated, shall, notwithstanding that fact, enter into the property of the State, and that Congress will protect it through its control over interstate commerce until it becomes lost in the great bulk of the food and other products of the State?

I say, Mr. President, that Congress is back of an objection against which the States are urging for some relief, and that is the objection to the introduction into the States of these spurious articles of food.

We all understand the judicial construction of that provision in our Constitution which says that Congress shall have control over interstate and foreign commerce; we understand what that construction means to the State. It has been decided that control over commerce means not only control over the moving of the articles constituting the commercial product, but also control over the article after it has entered the State and has gone out of the control of the shipper; control over it from the time that it enters the vehicle of transportation until it goes into another State. Did it stop there, Mr. President, the State might be able, possibly, to protect itself; but it does not. It goes further and holds that it shall protect that article of food, whether it be deleterious or otherwise, so long as it is in original packages.

It holds that the right to transport from one State to another includes the right also to sell in the State into which the article is transported in original unbroken packages until it becomes mingled with the general mass of property of the State; and then it says if the State authorities, after it has been scattered and mingled with the commercial property of the State, can get hold of it and then can prevent its consumption, well and good; but if they can not they have no power whatever over it.

Now, all of these States having pure-food laws appeal to Congress to close this gap which they can not control, so that they may protect themselves. Not only this, but their efforts in the last year have been supplemented by the prayer of the manufacturers themselves for relief against the divergent laws of the States. We all understand, Mr. President, that, even though two States have identically the same law upon their statute books, the courts have given those laws different constructions. When you take that fact into consideration, with the further fact that, in addition, they have many diverse laws, the honest manufacturer is placed in such a condition that he scarcely knows how to label his goods so as to sell them easily and freely in the different States. He has to take the hazard of a judicial construction, and even a construction not by a judicial tribunal, but by a person known in the law as the food commissioner of the State, which construction may be absolutely out of harmony with what a court may have decided in a like case. So he is hampered on all sides in all of these States by reason of these divergent laws.

Everyone knows, Mr. President, the absolute impossibility of any of these States enforcing their laws unless they have supplemental legislation by the Government of the United States; or if the Government of the United States will go far enough to say they will even enact a law so that the articles shall fall under the police power the moment they enter the State, then the State will have some shadow of relief, but so long as the Government stands back and says that these deleterious and spurious goods shall go into a State, and shall not only go into it, but the Government stands back and protects the manufacturer in the sale of those spurious goods in the State so long as they are in original unbroken packages, then so long the State must necessarily be without any relief whatever.

Mr. President, this bill would strike at the very root of the evil. Through the influence and through the machinery of the Agricultural Department we can trace the adulterated and the misbranded foods to the source of their manufacture. The moment we ascertain where they are manufactured the efforts of the Government can be directed against the manufacturer transporting those goods into another State, and when we have done that through the instrumentality of the Agricultural Department we have rendered unnecessary 95 per cent of all the State laws at the present time upon the subject of pure food, simply because 95 per cent of adulterated articles are not sold in the State in which they are produced, but are transported to some other State from the one in which they are manufactured.

It must not be forgotten, therefore, in the consideration of this bill that its object is to supplement the efforts of the States, and, Mr. President, it seems to me that we are going a great way, and any member of the Senate is going a great way in putting up his own individual judgment against the necessity of this character of legislation against the consensus of the combined judgment of the legislatures of two-thirds or three-fourths of the States in the United States. The very fact that those legislatures have passed their laws concerning the traffic in adulterated articles of food for the purpose of preventing it in their respective States, and the fact that they are urging this legislation by the Government of the United States, ought to be practically conclusive evidence to every Senator that there is a strong public demand for legislation of this class.

Mr. President, this bill has the hearty approval of the Secretary of Agriculture. There is not a Senator here who does not respect the Department of Agriculture more than ever before since we have had at its head the present Secretary. We know his sterling qualities; we know that he has never yet abused the trust which has been conferred upon him, and we have his past record to insure us that the future will be of like character. The Secretary of Agriculture, communicating with all of the commissioners of food products in the several States, certainly has an opportunity of ascertaining not only the necessity but the desire of the several States to have legislation of this character enacted, and he reports to us that $1,170,000,000 worth of adulterated products are sold in the United States every year. To be conservative, he divides the estimate which he received from the food commissioners in two. So I think we can safely say that he has been more than conservative, and that probably it would amount to at least $3,000,000,000 worth. He states also that the deleterious products in these adulterated foods will amount to 2 per cent, or $156,000,000 a year. The enormous sums that are mentioned here, it seems to me, ought to invite our serious attention to the necessity and propriety of legislation on this subject.

Mr. President, the objection of the Senator from Connecticut was that there was too much power in one man's hands. He assumes that the Secretary of Agriculture is to determine upon the matter of food products, that he is to fix standards absolutely, and that it is within his power to do so. I desire to call attention to section 7 of this bill, to show the Senate how erroneous is this conclusion. That section provides:

SEC. 7. That it shall be the duty of the Secretary of Agriculture to fix standards of food products when advisable, and to determine the wholesomeness or unwholesomeness of preservatives and other substances which are or may be added to foods, and to aid him in reaching just decisions in such matters he is authorized to call upon the Chief of the Bureau of Chemistry—

There is one individual—

and the chairman of the committee on food standards of the Association of Official Agricultural Chemists—

And I have stated in my previous remarks upon this subject who this person is and his eminent fitness for this position—

and such physicians, not less than five, as the President of the United States shall select, three of whom shall be from the Medical Departments of the Army, the Navy, and the Marine-Hospital Service, and not less than five experts, to be selected by the Secretary of Agriculture by reason of their attainments in physiological chemistry, hygiene, commerce, and manufactures, to consider jointly the standards of all food products (within the meaning of this act), and to study the effect of the preservatives and other substances added to food products on the health of the consumer.

Instead of the Secretary of Agriculture having this wonderful authority, you will see that the question of food standards is in the hands of 13 or 14 individuals, each selected for his peculiar fitness in matters of hygiene, physiology, etc. So, it seems to me, that the objection answers itself. Can we say that any one of those persons who is to be appointed under this bill is not properly and eminently fit for the position and is not the best that could possibly be selected?

The Senator from Connecticut says that the Secretary of Agriculture can say that one kind of flour is better than another; that he can say that Pillsbury's is the best flour, is superior to any other character of flour manufactured, and that that would give an undue influence in favor of the sale of that character of flour. Mr. President, that is nothing more than the Secretary of Agriculture is doing to-day. He is passing daily upon subjects of this kind.

I have stated before, and I believe that I can reiterate the fact,

that the Secretary of Agriculture, under the provisions of this bill, is not to determine the superiority of one grade of food product over another, but he is to determine, when the question is submitted to him, the ingredients of a certain character of food. He is to determine, when submitted to him, the question of the superiority of certain ingredients, so far as the human system is concerned, over other ingredients as articles of food, and nothing more than that.

In the matter of flour he may determine that flour containing a certain percentage of water, a certain percentage of lime, a certain percentage of carbon, a certain percentage of phosphates, a certain percentage of starch may be the best kind of flour, may be the most superior character of flour; and if anyone has a flour which will correspond with that, I see no reason why he should not receive the benefit of an analysis of this kind.

I believe that it has been determined by the Agricultural Department that Colorado sugar beets are superior in saccharine qualities to all other beets raised. I do not know but that is true; but I have not found that that has had any serious effect upon the beet-sugar industry in the State of Michigan. I believe that there is a consensus of opinion not only amongst the public, but amongst physicians, that beef as a product is more healthy than pork, but I have not found that that has had any serious or bad effect upon the consumption of pork in the United State or upon the market in pork products. Everyone fully understands that we demand for our table many kinds of products. Some may be superior to others. What we do wish is simply that we shall know what the products are that we are consuming and what those are that we are purchasing, and this bill seeks to assist us in that investigation.

But, reduced to its logical sequence, it seems to me that the argument of the Senator from Connecticut in objection to this bill would be that the truth obtained in any manner as to food products would be a detriment to those products which did not correspond with the highest class of goods so far as nutriment is concerned. I do not believe it would have any such effect as that, and I do not consider for a single moment that that would be an objection or would injure the sale of such goods.

We are already, Mr. President, making a study of food products in the Army; we are making a study of food products in the Navy. We have a physician in the Army and a physician in the Navy who are intrusted with that particular kind of work, and I should like to have any Senator give me any good reason why, if we should study a product for the purpose of benefiting our Navy or for the purpose of benefiting our soldiers, or for the purpose of benefiting the Army as well as the Navy, why the same rule would not apply to the public in general, or why the people of the United States should not have the same protection against wrongful, against impure, against adulterated food products that the Army and the Navy have.

Mr. President, it was not long ago generally understood that oatmeal, for instance, as a food product was one of the most nutritious and one of the best that could be possibly used. Upon that particular fad a great amount of oatmeal was consumed in the United States with the idea that it was an easily digested article of food. That particular fad, without any reason for its foundation, has perhaps cost the lives of hundreds of thousands of people with weak digestive organs. Had we in past years had a central committee, consisting of the Secretary of Agriculture, with the eminent scientists with whom we have surrounded him in this bill, much good would have been obtained by the public in disseminating the truth concerning this particular food.

Mr. President, if there should be a pure-food commission established anywhere it seems to me it should be rightly established in the Department of Agriculture, where we have all of the necessary machinery for carrying such a law into effect. But I wish to call attention to another fact, and I especially invite the attention of the Senator from Arkansas to this statement. He objected on the ground that the proposed law would give too great a power to the Department of Agriculture, and yet the same Senator voted but a short time ago for a law which gave the Secretary of Agriculture exactly all of these powers, but continued them, of course, only for the year ending June 30, 1903. I refer to the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903. This is public act No. 139, and on pages 12 and 13 we have these provisions, which will become the law of the United States on the 1st day of July, 1902:

To enable the Secretary of Agriculture to investigate the character of proposed food preservatives and coloring matters, to determine their relation to digestion and to health, and to establish the principles which should guide their use; to enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products in foreign countries, and to inspect before shipment, when desired by the shippers or owners of these food products, American food products intended for countries where chemical and physical tests are required before said food products are allowed to be sold in the countries mentioned, and for all necessary expenses connected with such inspection and studies of methods of analysis in foreign countries; to enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists, and such other experts as he may deem necessary, to establish standards of purity for food products and to determine what are regarded as adulterations therein, for the guidance of the officials of the various States and of the courts of justice; for the preparation of reports, the purchase of apparatus, chemicals, samples, and supplies required in conducting such investigations, the employment of local and special agents, clerks, assistants, and other labor required in conducting such experiments in the city of Washington and elsewhere, and in collating, digesting, and reporting the results of such experiments; for freight and express charges, and for traveling and other necessary expenses, and for the rent of buildings occupied by the Bureau of Chemistry.

For these purposes a certain sum of money is appropriated.

There is not a single power contained in this pure-food bill that is not already a law, having passed both Houses of Congress. If this provision is proper for one year, it is proper for two years. If it is proper that the Secretary of Agriculture shall take up this matter and give it fair consideration, it is improper to cut off his labors at the expiration of one year when he has just started in the investigation of so gigantic a subject as is presented and submitted to him in the law passed by both Houses of Congress.

The Senator from New Hampshire [Mr. GALLINGER] stated that there was no limit to the number of chemists. If there is no limit to the number of chemists in this bill, there is no limit in the bill which has already passed, for they are practically the same. But I think it is perfectly safe, and we necessarily must leave something to the discretion of the Secretary of Agriculture.

I submitted this question, however, to the Secretary of Agriculture since the debate which we had somewhere about a week or so ago, and received this written reply, which I desire to read for the benefit of the Senator from New Hampshire and those who objected to this bill upon the ground that it gave too great power to the Secretary of Agriculture.

Mr. GALLINGER. Will the Senator permit me for a moment?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. The Senator has alluded to me several times in his speech, and I think his observations would lead persons reading his speech to the conclusion that I had antagonized this bill. I will say that the only purpose I had in view was to get information concerning it. I am not opposed to the bill, so far as I know, and have not been opposed to it, but I wanted information on certain points connected with the bill, and that was my only purpose in making the inquiry.

Mr. McCUMBER. I understood that to be the purpose, and I thought the question of the Senator from New Hampshire very pertinent and needed an answer, or I should not have gone to the trouble of getting this information for him. This is a letter of date June 17, which I received from the Department of Agriculture. It reads as follows:

DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY,
Washington, D. C., June 17, 1902.

Hon. P. J. McCUMBER,
Senate of the United States.

DEAR SIR: In response to your personal inquiries for further information on some of the provisions of the pure-food bill now pending before the Senate I have the honor to make the following statements:

1. In regard to the provisions in section 1, page 14 of the bill now before the Senate, beginning with the last word of line 11 and reading as follows: "The Secretary of Agriculture is hereby authorized to employ such chemists, inspectors, clerks, laborers, and other employees as may be necessary to carry out the provisions of this act and to make such publication of the results of examinations and analyses as he may deem proper:" In pursuance of this authority the Secretary could only employ such number of persons as the Congress would authorize from time to time in the appropriation bills providing for the conduct of the work.

The Department of Agriculture already has a trained corps of chemists who, under the authority of Congress granted from year to year, have been engaged for the past fifteen years in the study of food adulterations. To this corps of chemists will be committed all the principal investigations connected with the execution of the law. From time to time it would be necessary in the different States to employ local chemists who, under the direction of the Department of Agriculture, could conduct special analyses and appear as witnesses before courts. It will be my purpose, if the proposed bill becomes a law, to collaborate with the officers of the various States charged with the execution of the State laws, and when practicable secure the services of the State chemists for such periods of time as may be necessary to conduct the work above mentioned. Any increase in the chemical force of the Department at Washington will be only such as is rendered necessary by the increased work required for the proper execution of the law. Estimates for this increased work will be submitted to Congress from year to year in connection with the usual estimates for the work of the Department.

What is said above in regard to chemists will apply with equal force to the other classes of employees mentioned in the section quoted.

2. In regard to section 7, on page 20, reading as follows: "That it shall be the duty of the Secretary of Agriculture to fix standards of food products when advisable, and to determine the wholesomeness or unwholesomeness of preservatives and other substances which are or may be added to foods; and to aid him in reaching just decisions in such matters he is authorized to call upon the Chief of the Bureau of Chemistry and the chairman of the committee on food standards of the Association of Official Agricultural Chemists and such physicians, not less than five, as the President of the United States shall select, three of whom shall be from the medical departments of the Army, the Navy, and the Marine-Hospital Service, and not less than five experts, to be selected by the Secretary of Agriculture by reason of their attainments in physiological chemistry, hygiene, commerce, and manufactures, to consider jointly the standards of all food products (within the meaning of this act), and to study the effect of the preservatives and other substances added to food products on the health of the consumer; and when so determined and approved by the Secretary of Agriculture such standards shall guide the chemists of the Department of Agriculture in the performance of the duties imposed upon them by this act. It shall be the duty of the Secretary of Agriculture, either directly or through the Chief of the Bureau of

Chemistry and the chairman of the committee on food standards of the Association of Official Agricultural Chemists and the medical officers and experts before mentioned, to confer with and consult, when so requested, the duly accredited representatives of all industries producing articles for which standards shall be established under the provisions of this act." I desire to make the following observation:

The purposes of this section, it seems to me, are of the highest importance, both from an economic and hygienic standpoint. The practice of using preservatives and coloring matters is widespread, and these bodies enter into many articles of food. If they are not deleterious to health and improve the keeping qualities and appearance of the food products there can be no valid objection to their use. If, on the contrary, they are injurious to health, this fact would neutralize any value which they might have otherwise, and would lead to the conclusion that they ought not to be present in food products.

So grave a question as this ought not to be decided by the opinion of any one person. It should only be resolved by the consensus of the experience of experts capable of dealing experimentally with the matter and who engage in the work without any bias of any kind. Expert opinions as given before the courts of justice at the present time are quite universally ex parte, and of course in their conclusions the bias, if any, is on the side of the employer. If these questions could be decided by such a commission as the proposed law contemplates, the decision would have an authority which would appeal strongly to all unprejudiced men and especially to courts of justice. While such decisions, it is true, would not be legally binding on any court, they would form a basis for consideration which, while not binding the court, would undoubtedly guide it in the right direction. This would secure greater uniformity in the decisions of the courts and greater simplicity in the enforcement of food laws in all States.

It may be also objected that this section gives the Secretary of Agriculture too great an authority in providing that he ascertain standards of purity for food products. It might be urged that the Secretary of Agriculture would establish a certain product of a certain firm as a standard product. While it is not probable that any Secretary of Agriculture would ever consider such an arbitrary act, even if he did he would have no authority to do such a thing under the law. He could only state that a food product of a certain composition, specifying the percentages of the various constituents that it contains, should be considered as a type of bodies of that kind. The establishment of such types is highly desirable, especially when it is accomplished by such competent and unbiased authorities as are mentioned in section 7. These types of food products would not only protect the rights of the consumer, but would be even more valuable to the manufacturer, who would have before him always a standard which it would not be difficult for him to reach in the composition of his food products.

Furthermore, it may be said that the provisions of section 7, above referred to, only place upon a broader and surer foundation the authority which is already committed to the Secretary of Agriculture by act of Congress in making appropriation of funds for the Department of Agriculture. It is provided in Public No. 139, an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, page 13, "that the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists and such other experts as may be necessary, shall establish standards of purity for food products and determine what are regarded as adulterations therein for the guidance of the officials of the various States and of the courts of justice. He is also authorized to investigate the character of proposed food preservatives and coloring matters, to determine their relation to digestion and to health, and to establish the principles which should guide their use."

The authority which is conferred upon the Secretary of Agriculture under section 7, as quoted above, is thus only a continuation of that authority which he already possesses. The experts which he is authorized to consult, under section 7, are to a large extent already in the service of the United States, and therefore their employment would entail no additional expense further than that necessary in their investigations. While it is true that it would not be practicable to ask eminent hygienists, physiologists, and chemists not in the service of the United States Government to give their services without compensation, it can not be denied that the money spent in securing such services would be wisely used and result in information which would be of incalculable benefit to our people. It appears to me, therefore, that the provisions of section 7 are wise, necessary, and expedient and are worthy of the careful consideration of the members of Congress.

As a general statement I would like to add the following:

Nearly all the States of the Union now have laws regulating the manufacture and sale of adulterated food and drug products. The object of the proposed legislation is to supplement these laws and to aid in their effective execution by controlling interstate commerce in adulterated food and drug products. The proposed law does not interfere in any way with the police laws of the several States. It so happens, however, that dealers in one State continue to offer for sale food products coming from another State. They often innocently violate the State laws, while the really guilty party is without the jurisdiction of the State courts. The action proposed by Congress will strike at the root of this great evil of food adulteration and thus confer an inestimable boon not only upon the consumer, but upon the manufacturer of food products.

Respectfully, JAMES WILSON, *Secretary.*

Mr. President, among the persons who are selected by the pending bill upon this board are five physicians selected by the President, three of whom are to be selected from the Army, Navy, and Marine-Hospital Corps. As this is not understood thoroughly by all members, I desire to read a letter from the Department of Agriculture concerning this provision and the eminent fitness of these particular persons to be selected for service upon this board. In a letter of April 8, referring to this subject, the Secretary of Agriculture states:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY, OFFICE OF THE CHIEF,
Washington, D. C., April 8, 1902.

Hon. P. J. MCCUMBER, *United States Senate.*

DEAR SENATOR: In harmony with your request, I inclose a brief sketch showing the organization and constitution of the Association of Official Agricultural Chemists and the nature and character of the last Pharmacopœia. I send also a brief statement respecting the Medical Departments of the Army and Navy and the Marine-Hospital Service.

Sincerely,

H. W. WILEY, *Chief.*

P. S.—I am sending you a copy of Bulletin 57, which contains the historical sketch of the Association of Official Agricultural Chemists referred to in the inclosed paper.

UNITED STATES PHARMACOPŒIA.

The Pharmacopœia of the United States is a book of standards for drugs established eighty years ago by the learned medical and pharmaceutical societies of the United States, and represents thus the consensus of the highest authority possible to be secured on the composition of drugs and drug standards. A committee, representing all the medical and pharmaceutical societies in the United States and the medical and surgical faculties of the medical colleges of the country, meets decennially for the purpose of revising the standards in the Pharmacopœia and bringing the publication up to date. The results of the meeting in 1900 have not yet been published, so that the Pharmacopœia of the seventh decennial review, of 1890, is still in vogue and will remain the standard until the issue of the new edition, which is expected soon.

The foundation of the organization controlling this publication was laid by Dr. Lyman Spalding, of New York City, who submitted to the Medical Society of the county of New York a project for the formation of a National Pharmacopœia. The edition of 1890 was issued by the committee above mentioned, representing the colleges and learned societies named, which met in the city of Washington on the 7th day of May, 1890, and continued in session for several days. All the States and Territories were represented on this commission, and practically all of the medical and pharmaceutical societies and colleges in the United States. The officers of the commission were as follows:

President, Horatio C. Wood, M. D., LL. D., of Philadelphia.
First vice-president, W. S. Thompson, of Washington.
Second vice-president, J. M. Flint, M. D., United States Navy.
Third vice-president, D. Webster Prentiss, M. D., of Washington.
Fourth vice-president, Albert E. Ebert, Ph. G., of Chicago.
Fifth vice-president, W. M. Searby, Ph. G., of San Francisco.
Secretary, H. A. Hare, M. D., of Philadelphia.
Assistant secretary, G. H. Charles Klie, of St. Louis, Mo.

The convention selected the following gentlemen to supervise, under the direction of the convention, the revision and publication of the Pharmacopœia of the United States, viz: Charles Rice, Ph. D., New York, N. Y., chairman; Joseph P. Remington, Ph. M., Philadelphia, Pa., first vice-chairman; Robert T. Edes, M. D., Jamaica Plain, Mass., second vice-chairman; Charles O. Curtman, Ph. G., M. D., St. Louis, Mo., third vice-chairman; Frederick A. Castle, M. D., New York, N. Y., secretary; James M. Flint, M. D., Washington, D. C., treasurer; Roberts Bartholow, M. D., LL. D., Philadelphia, Pa.; P. Wendover Bedford, Ph. G., New York, N. Y.; N. S. Davis, jr., M. D., Chicago, Ill.; C. Lewis Diehl, Ph. M., Louisville, Ky.; Robert G. Eccles, M. D., Brooklyn, N. Y.; John Godfrey, M. D., Stapleton, N. Y.; Willis G. Gregory, Ph. G., M. D., Buffalo, N. Y.; C. S. N. Hallberg, Ph. G., Chicago, Ill.; John M. Maisch, Ph. M., Phar. D., Philadelphia, Pa.; George F. H. Markoe, Ph. G., A. M., Boston, Mass.; William M. Mew, M. D., Washington, D. C.; Charles Mohr, Mobile, Ala.; Oscar Oldberg, Phar. D., Chicago, Ill.; Frederick B. Power, Ph. D., Passaic, N. J.; Henry H. Rusby, M. D., New York, N. Y.; Lucius E. Sayre, Ph. G., Lawrence, Kans.; Alfred B. Taylor, A. M., Ph. M., Philadelphia, Pa.; Otto A. Wall, Ph. G., M. D., St. Louis, Mo.; Horatio C. Wood, M. D., LL. D., Philadelphia, Pa.; Thomas F. Wood, M. D., Wilmington, N. C.

The last Pharmacopœia thus represents the official utterances of those who are preeminently qualified to determine the standards in drug products throughout the country. Its standards are universally accepted by the courts, by physicians, and by pharmacists throughout the country.

ASSOCIATION OF OFFICIAL AGRICULTURAL CHEMISTS.

The Association of Official Agricultural Chemists grew out of a movement inaugurated by Mr. H. J. Redding, now director of the Georgia agricultural experiment station, who induced Hon. J. T. Henderson, commissioner of agriculture of the State of Georgia, to call a meeting of the agricultural chemists of the United States in May, 1880. This meeting was held in Atlanta, and adjourned to meet later in the season in Boston, in connection with the American Association for the Advancement of Science. This meeting took place in August, 1880.

A tentative plan of cooperation was agreed upon in these meetings, but for some reason the organization lapsed, and no further meetings were called until the spring of 1884, when another meeting of agricultural chemists was held in Atlanta. This meeting adjourned to meet in Philadelphia, where, on September 8, 1884, a formal organization of the agricultural chemists took place, which has remained unbroken to the present time.

This organization was at once taken under the auspices of the United States Department of Agriculture, and since that period has been recognized as an important branch of the agricultural work of that Department. The proceedings of the association are published as bulletins of the Bureau of Chemistry of the Department, and the chief of that Bureau has been the permanent secretary of the association since 1889.

The constitution of the association contains, among others, the following provision:

"Chemists connected with the United States Department of Agriculture, or with any State or national agricultural experiment station or agricultural college, or with any State or national institution or body charged with official control of the materials named in section 1, shall alone be eligible to membership."

The clause of section 1 referred to relates to the investigation of fertilizers, soils, cattle foods, dairy products, and other materials connected with agricultural industry.

A list of the members who have attended the meetings of the society is found on pages 14-16 of Bulletin No. 57 of the Bureau of Chemistry, of the Department of Agriculture. A historical sketch of the association up to 1899 is found in the same bulletin, page 16 and following.

The association represents practically every chemist occupying any official position in the United States connected in any way with agriculture or agricultural products. The study of foods, both for man and beast, has been one of the chief functions of this association, and in order to secure definite and reliable ideas in regard to the composition of foods the association, several years ago, appointed a committee on food standards, a highly representative body, including members from every part of the United States, who are experts on food investigations. The chairman of this committee, thus officially constituted and recognized as an official or employee of the Government, and holding, as he does, a commission from the Secretary of Agriculture as special agent to study foods, is designated in the bill as one of the members of the commission to study the composition of foods, food standards, and the effect of preservatives, coloring matters, and other substances added to foods upon the health. The qualifications and credentials of such a member as this are of the highest character. The present chairman of the committee on food standards is Dr. William Frear, chemist and assistant director of the agricultural experiment station of Pennsylvania.

ARMY AND NAVY.

The medical service of the Army of the United States is under the direction of the Surgeon-General, the present incumbent being Gen. George M. Sternberg. It comprises all who are engaged in any way in the medical service of the Army. There are many of the physicians attached to the military service who have made special studies of food products and have direct charge of supervising the rations of the Army and the foods of the invalids in the Army hospitals of the country. These thus comprise the highest talent in the medical profession of the Army in respect of food products.

The medical service of the Navy is comprised in the Bureau of Medicine and Surgery, and is under the direction of Surg. Gen. W. K. Van Reypen.

The Marine-Hospital Service is under the control of the Treasury Department and is under the direction of Supervising Surg. Gen. Walter Wyman, an acknowledged authority throughout the country on foods and hygiene.

It is evident that in selecting from these three branches of the medical service of the United States experts of the very highest character will be secured.

In addition to the above medical experts, it is provided that two physicians from private life be designated by the President, thus enabling him to add to the above high medical and hygienic talent in the service of the United States two physicians of the country most eminent in their researches in physiology, physiological chemistry, hygiene, and nutrition, thus completing a board of physicians of the highest possible talent.

COMMERCE AND MANUFACTURE.

In addition to the experts selected by the President, the Secretary of Agriculture is authorized to select five men "by reason of their attainments in physiological chemistry, hygiene, commerce, and manufactures."

Thus there will be represented on this board the great business interests controlling the production and movement of food products. The board is certain, therefore, to have at least one man eminent in commerce and one eminent in manufacture, and these men, by their practical knowledge of affairs, will add great strength to the deliberations of the committee. It is not expected, of course, that these will be men who are skilled in chemistry, physiology, or hygiene, but there are other considerations to be kept in view, viz, manufacture and distribution of food products, which must receive attention. The Secretary of Agriculture thus selects five men, two of whom, at least, shall represent the business interests of the country and the others be eminent in their attainments on the questions which will be under consideration.

It appears that it would be difficult to devise a plan whereby a better or more suitable body of men could be secured for the purpose of studying in a wholly impartial manner the great questions which underlie food standards and the effects upon the health of preservatives, coloring matters, and other substances commonly added to food products.

Every State of the Union having a pure-food law is asking the assistance of the United States Government in supplemental legislation. Everybody in the several States having control over the subject of pure-food law is asking for the same. Not only this, but so far as I know every honest manufacturer in the United States is asking for the same class of legislation and is sending in his approval of this bill.

Mr. President, to show the trend of thought and the feeling of the manufacturers and the dealers in food products, I wish to submit in substance extracts from letters from not only the manufacturers themselves, but also from dealers in food products. I will give a few of them, but will ask that the others be printed.

Chapman & Smith Company, importers and manufacturers, of Chicago, under date of May 29, 1902, write as follows:

The importance of the pure-food question is obvious. It is up. It will not down.

Public health should be, must be safeguarded. Nearly every State in the Union has enacted some sort of pure-food legislation to meet the public demand for the same. These laws are very divergent and some fall far short of really protecting the consumer against harmful food products.

Public opinion, we believe, strongly favors more adequate and more effective pure-food legislation.

There is a growing demand throughout the country for a national pure-food law that will save the annoyance of conflicting State laws. We feel confident that State laws would soon be brought to conform to the national pure-food law.

We heartily favor the Hansbrough bill as amended by the Committee on Manufactures.

We earnestly desire that every effort be made to bring this Hansbrough bill, as amended, to a vote in the Senate during the present session of Congress.

We appreciate most heartily the earnest efforts you have made in the behalf of pure food, and we avail ourselves of this opportunity to express to you our sincere thanks.

The J. P. Dieter Company, importers and manufacturers, of Chicago, under date of May 31, write:

As we all know, there has been a general agitation in and out of Congress for a national pure-food law. We ourselves also know and realize, through the channel of our twenty-five or more traveling salesmen, that there is a general demand throughout the country for some such law given us by Congress as will save us the annoyance of all the various divergent State requirements.

We write this briefly, not wishing to encroach too much upon your time; but we feel there should be a national pure-food law passed at this session of Congress, and we here desire to thank you for your earnest efforts for pure food, and hope that you will make every effort to bring your measure to a vote in the Senate.

Jaques Manufacturing Company, of Chicago, under date of May 31, write:

For several years past countless pure-food bills have been introduced in Congress, and a great deal of time and energy has been spent to secure the passage of a bill that would be satisfactory to all interests.

We are free to acknowledge that the Hansbrough bill, as amended by the Committee on Manufactures, is not exactly what we should like, but it is so near perfect food legislation that we feel that we should set aside our personal interests, and therefore write you in the hopes that you will do what you are able to in using your influence in the passage of this Hansbrough bill, which will give the country what it has so long been seeking—a food bill protecting the public, and which is at the same time fair to the manufacturers in all lines, and we do not believe will be a hardship on any industry or manufacturer who manufactures healthful goods and is willing to sell them on their merits and for what they are.

Another short letter from the Bullen Baking Powder Company, of Chicago, who, under date of June 5, write:

We beg to thank you, in the interest of the manufacturer, for your earnest efforts in the interests of the pure-food laws, and assure you that they have been deeply appreciated by all either directly or indirectly affected by them.

We beg to urge upon you the necessity of using every effort in your power to bring the measure to a vote in the Senate, and trust that you will meet with overwhelming success. The manufacturers throughout the country are beginning to appreciate the fact that pure-food legislation is now at a point where national law is absolutely necessary. Were a national law passed it would be the means of saving the manufacturer a great deal of trouble in trying to conform to the various State laws now in existence, and we feel confident that a national law, such as your bill promotes, would very soon have the hearty support of the State legislatures.

Dodson Braun Manufacturing Company, of St. Louis, Mo., under date of June 4, write as follows:

Believing that the time is now ripe for the passage of a national pure-food law, we write to request that you make every effort to procure the enactment of the same during the present session.

In this connection we desire to thank you most heartily for the earnest efforts which you have already put forth in behalf of such a food law.

I read another short letter from St. Louis. Eddy & Eddy, grocers and manufacturers, of St. Louis, Mo., under date of June 5, write:

We take the liberty to write you in regard to our urgent desires to have the passage of the Hansbrough bill as amended by the Committee on Manufactures. We believe that pure-food legislation has reached the point where a national law is demanded, and we also believe that if we had a national pure-food law the State laws would very soon conform to it, and, as matters now stand, we are very much annoyed in having to conform to so many different laws. It causes us endless detail, which is almost impossible to keep pace with. We earnestly desire that this bill be passed during the present session of Congress.

These are from manufacturers, Mr. President, and also from dealers. I have several here of the same character.

J. C. Grant Chemical Company, manufacturers of baking powder, of East St. Louis, Ill., under date of June 5, write:

As manufacturers of a food product which we know to be absolutely healthful and which has been so pronounced by the most eminent chemists of the country, but which has nevertheless been subjected to attack from interested parties manufacturing rival products, such attacks going the length of corrupting legislatures, as in the State of Missouri, and having become a public scandal, we feel that a national pure-food law is urgently demanded, and would respectfully ask that you do all in your power to see that pure-food legislation is considered during the present session of Congress. We heartily favor the Hansbrough bill as amended by the Committee on Manufactures, and while thanking you most cordially for your earnest efforts in behalf of pure foods, we trust you will not spare any effort to bring the matter to a vote in the Senate, as we feel sure should a national pure-food law be passed the different States would soon fall in line.

Perfect Baking Powder Company, of St. Louis, Mo., under date of May 31, write:

We are continually annoyed by the various pure-food laws, so called, that are passed by the various States, endeavoring to comply with them, and we believe that the country generally would welcome a national law and that the States would gradually conform to it. Your efforts to date are appreciated thoroughly, and we hope that you will not let up until the matter is carried through.

Canby, Ach & Canby, coffee roasters and baking powder manufacturers, of Dayton, Ohio, under date of June 3, write:

We have read with much pleasure your remarks in favor of the passage of a pure-food measure. We believe that the bill supported by you contains all the necessary features to protect both the consumer and the upright manufacturer, and at the same time is so drawn as to prevent its being utilized to further any attempt to subserve a special interest. We sincerely hope you will use your further influence in favor of the bill. From our knowledge of the sentiment throughout the country we are sure that a pure-food measure such as you have advocated is earnestly wanted by the country. We believe that everyone who is influential in the matter of passing such a bill will earn the gratitude of the great mass of the consumers.

Washburn-Halligan Coffee Company, of Davenport, Iowa, under date of June 2, write:

We desire to call your attention to the fact that as manufacturers and jobbers of goods we are vitally interested in the efforts that are being made in the United States Senate and House of Representatives, as well as in our own State legislature to enact such pure-food legislation, as will protect the consumer in the purchase and selection of goods and not interfere with the honest manufacturer who is endeavoring to cater to such a trade.

After careful consideration and some experience along this line, we are confident that pure-food legislation has now reached the point where a national law is demanded.

We therefore heartily favor the Hansbrough bill as amended by the Committee on Manufactures. We know there is a general demand throughout the whole country for national pure-food legislation which will save the annoyance of various State requirements. We are confident that should the national pure-food law be passed the State laws would soon conform to it.

Mr. President, there are a number of others, one of recent date, which is directed to the Senator from Pennsylvania [Mr. QUAY], from Reading, Pa., which reads as follows:

THE RETAIL GROCERS' ASSOCIATION,
NO. 300 SOUTH SIXTH STREET,
Reading, Pa., June 20, 1902.

Hon. M. S. QUAY.

DEAR SIR: At a meeting of the Retail Grocers' Association of Berks County held recently resolutions were unanimously adopted indorsing the pure-food bill now before Congress known in the House as the Hepburn bill and reported to the Senate by the Committee on Manufactures, of which Hon. P. J. MCCUMBER is chairman. I am instructed by the association to write you informing you of the action and request you to support the bill and use your influence in having the same passed. By complying with the above you will greatly oblige the aforesaid association.

Yours, very truly,

E. J. MORRIS, *Secretary.*

Mr. President, this is the character of letters we are receiving from all over the United States. There is perhaps not a single State in the Union which has not responded to the feeling of the particular State through its grocers, its retail merchants, in supporting a law of this kind.

I submit and ask that the balance of these letters or extracts from them which I have prepared be printed as a part of my remarks.

The PRESIDING OFFICER (Mr. WELLINGTON in the chair).

The Senator from North Dakota requests that a number of letters which he has not read be incorporated in his remarks and printed therein. If there be no objection, it will be so ordered. The Chair hears none.

The letters are as follows:

Mr. McCUMBER. Tone Brothers, importers and manufacturers of coffees, flavoring extracts, etc., of Des Moines, Iowa, under date of June 5, write:

We beg to call your attention to the fact that pure-food legislation throughout the different States has reached such a point that a national law is a great necessity, for the reason that any State that has a law on this subject differs very materially from its neighboring State, so that, taking this into consideration, you can readily see the importance of a law in uniformity. We are thoroughly convinced that the Hansbrough bill, as amended by the Committee on Manufactures, now before the Senate for consideration, is a most desirable measure and meets with our unqualified approval.

Crescent Manufacturing Company, of Seattle, Wash., under date of June 4, write:

As manufacturers of food products and as citizens of a State enjoying some of the benefits of an excellent pure-food law, we beg to express our appreciation of the obligation that the friends of pure-food legislation are under for the efforts you have put forth in their behalf. We have watched with much interest the struggle for the passage of a national pure-food law, and have hoped that the earnest support of yourself and of other friends of the cause would result in the adoption by the present Congress of the Hansbrough bill. It is the judgment of those interested in the enforcement of our State law that only with the assistance of a national law to supplement the State laws can the latter be rendered fully effective, and we are convinced that never before was there so general a demand among the people for national legislation of this character.

Closset & Devers, manufacturers, importers, and jobbers, of Portland, Oreg., under date of June 2, write:

As manufacturers of food products, we beg to call your attention to the Hansbrough bill, as amended by the Committee on Manufactures, and to state that we heartily indorse and are most emphatically in favor of the passage of the bill.

We think that pure-food legislation has now reached the point where a national law is required.

We feel confident that should a national pure-food law be passed, the various State laws would soon conform to it, and thus save the annoyance to which all the manufacturers of food products are now subjected by the various State requirements.

F. Menown Manufacturing Company, of Kansas City, Mo., under date of June 2, write:

There is a general demand throughout the country for a national pure-food law which will save the annoyance of the various divergent State requirements, and to that end we earnestly desire that every effort shall be brought to bear to bring the Hansbrough bill to a vote during the present session of Congress.

The H. D. Lee Mercantile Company, jobbers, manufacturers, and importers, of Salina, Kans., under date of June 3, write:

For your kind consideration and information we wish to state that we are greatly interested in pure-food legislation. We believe that the efforts made in the past in that direction have resulted in creating a strong public sentiment in favor of a national law covering that question. We have come to the conclusion that great annoyance can be avoided by a national law. In some instances State laws are in harmony with each other and in others in direct conflict.

We want to put ourselves on record as in favor of pure-food legislation and also in favor of legislation that is uniform. While the States undoubtedly have a right to legislate upon this question as they see fit, nevertheless, should such a good law as the Hansbrough bill be passed by the National Congress, we are very sure, as stated above, that the States would soon fall into line. This would certainly be a grand, good thing for the people as well as for the manufacturer.

Taylor Baking Powder Company, of St. Louis, Mo., under date of May 30, write:

We wish to extend to you our sincere thanks for your earnest efforts in behalf of pure food, and would urge upon you the necessity of bringing your measure to a vote during the present session of Congress.

Laten Pure Food Company, of East St. Louis, Ill., under date of May 31, write:

We most earnestly urge upon you the necessity of securing, if possible, the recognition of your pure-food measure during the present session of Congress. National pure-food legislation has become an absolute necessity. Not only should the public be protected from the frauds practiced by the unscrupulous manufacturers, but the legitimate manufacturers are sorely in need of protection from the many different (some foolish) laws in force in the different States, and no two States have the same laws. Should the Hansbrough bill pass, the State laws would undoubtedly conform to it very soon, a thing which would be welcomed by every manufacturer of food products in the United States.

Stagmaier & Fletcher, wholesale grocers, of Chattanooga, Tenn., under date of May 31, write:

There has been much agitation for some years for pure-food legislation by the people, the State legislatures, and the Congress. The State laws are now quite at variance with each other—probably some good and others bad. It is our belief that a national law would conserve the interests of the people at this time.

McCormick, Behnke & Co., wholesale grocers, of St. Paul, Minn., under date of May 31, write:

We beg to call your attention to the Hansbrough bill as amended by the Committee on Manufactures, in which we are very much interested. You are no doubt aware that pure-food legislation has now reached a point where a national law is required. A national pure-food law will save the annoyance of all of the various divergent State requirements, and we feel should a national pure-food law be passed, the State laws would soon conform to it; and we earnestly desire that every effort shall be brought to bring the Hansbrough bill to a vote during the present session of Congress. We are heartily in favor of this bill and trust when we ask you to support it we do not ask too much.

Foley Brothers & Kelly, importers, manufacturers, and wholesale grocers, of St. Paul, Minn., under date of June 4, write:

The various requirements governing the sale of food products in each State make it imperative, from our position as wholesale grocers, doing business in several States, that a national pure-food law should be passed at the earliest possible moment, to prevent the many annoyances to which dealers in food products are now subjected.

Griggs, Cooper & Co., manufacturers, importers, and wholesale grocers, of St. Paul, Minn., under date of June 5, write:

We have watched the pure-food legislation with some interest, and are pleased to note the earnest efforts you have made in reference to this subject. We heartily approve of the Hansbrough bill as amended by the Committee on Manufactures, and hope that through your efforts the bill may become a law at this session of Congress.

The dissimilarity of food laws in different States makes it exceedingly difficult for manufacturers all over the country, and this law, we believe, would so far satisfy the public requirements that the various States would adopt its general provisions in their pure-food legislation.

We sincerely hope that this bill will become a law and that the country will be relieved from present conditions, which are very embarrassing to manufacturers all over the country.

William McMurray & Co., tea and coffee importers and manufacturers, of St. Paul, Minn., under date of June 5, write:

Manufacturers throughout the country have gratefully watched your able efforts in behalf of national pure-food legislation, and we would respectfully thank you for your efforts in that direction. We would urge the necessity of the utmost being done to bring your measure to a vote in the Senate.

Climax Coffee and Baking Powder Company, of Indianapolis, Ind., under date of June 2, write:

We desire to thank you for your efforts in behalf of pure-food legislation, which we think is one of the important things now before Congress, in behalf of our manufacturers and likewise the consumers of food products. We further wish to urge upon you the importance of this measure being brought to a vote in the Senate.

Wabash Baking Powder Company, of Wabash, Ind., under date of May 31, write:

We know that there is a general demand throughout the country for a national pure-food law which will save the annoyance of all of the varied divergent State requirements, and should a national law be passed, the State laws would soon conform to it.

Kenton Baking Powder Company, of Cincinnati, Ohio, under date of June 3, writes:

As manufacturers of a food product we wish to thank you for your very earnest efforts in behalf of a national pure-food law.

We are heartily in favor of what is known as the Hansbrough bill as amended by your committee, and we earnestly urge you to secure the consideration of the same this session of Congress.

Hulman & Co., importers, manufacturers, and jobbers, of Terre Haute, Ind., under date of May 31, write:

We wish to thank you for your earnest efforts in behalf of pure food, and we sincerely hope that this matter may come to a vote in your present session.

The Hansbrough pure-food bill is very satisfactory to us, and we believe it would save the annoyance of all of the various divergent State requirements. Should a national pure-food law be passed, we believe the State laws would soon conform to it.

Joseph Strong & Co., wholesale grocers, of Terre Haute, Ind., under date of May 31, write:

We know there is a general demand throughout the country for a national pure-food law, which will save the annoyance of all various divergent State requirements, and we feel, should a national pure-food law be passed, the State laws would soon conform to it, and we earnestly hope that you will use every effort to bring the Hansbrough bill as amended to a vote during the present session.

Central City Soap Company, of Jackson, Mich., under date of June 5, write:

We feel that a national pure-food law in proper terms would be a blessing to the country, as the States would probably largely conform to it, and this would put a stop to the ever reoccurring agitation in the various States for a change of food laws, and the attempts by unscrupulous people to take advantage of the public and various manufacturers in this way. We sincerely hope that the bill as amended by your committee may be passed by the present session, and trust you will continue your efforts to bring it to a vote.

McFadden Coffee and Spice Company, of Dubuque, Iowa, under date of May 29, write:

We are interested in bringing this measure to a vote at this session of Congress as, we feel the urgent need of a national pure-food law, one to which we think the States would very soon conform, and afford us an opportunity to adjust our business so as to conform to the laws of all States without being forced to carry a separate line of goods for each State in which we do business. Any action taken by Congress to afford relief to jobbers and manufacturers will meet with hearty approval from every dealer in these lines of goods throughout our State and throughout the country.

C. Read & Co., of Baltimore, Md., under date of May 28, write:

We write to thank you for the interest you have taken in the pure-food measure, and we would like to see some definite action taken on this matter so that we will know what we have to conform to. We consider that the Hansbrough bill is fair and equitable, and we sincerely hope that same will pass this session.

The Sea Gull Specialty Company, of Baltimore, Md., under date of May 28, write:

We have noted with much pleasure your interest in pure food, and we respectfully urge that you try and get consideration of the bill at this session of Congress. It is a splendid bill, in the interest of the people and of commerce. The agitation of the bill for pure food has now reached a point where a national law is demanded, and the time has arrived when the people should have protection against harmful foods.

Dudley & Co., of Fairport, N. Y., under date of May 30, write:

There is a general demand throughout the country for a national pure-food law which will save the annoyance of all the various divergent State

requirements, and should a national law be passed, the State laws would conform to it.

We earnestly desire that every effort shall be used to bring your measure as amended by your committee to a vote in the Senate, and to thank you for your efforts in behalf of the pure-food law.

Anderson Food Company, of Camden, N. Y., under date of April 25, write:

We, as you know, among other manufacturers in this line indorsed and had presented the Corliss pure-food bill to the Committee on Interstate Commerce in the House.

Since that time we have very carefully followed the evidence taken before the House and Senate committees, and we among other manufacturers are of the opinion that from the attitude of the members of these committees the National Government would administer such a bill as the Hepburn bill on very much broader and liberal lines than has been our experience in the various States.

We think it might interest you, therefore, to know that we withdraw all opposition to the Hepburn bill, which, of course, is the natural result of our change of opinion.

E. SCHNEIDER & CO., MANUFACTURERS OF BAKING POWDER,
Cleveland, Ohio, June 23, 1902.

Senator PORTER J. MCCUMBER,
Chairman of Committee on Hansbrough Bill, Washington, D. C.

DEAR SIR: We are in hearty accord with your sentiments as expressed in your recent speech on pure-food matters before the Senate. It is certainly the most forceful presentation of this cause that it has been our pleasure to see. We are heartily in favor of the bill which you are advocating, and we sincerely hope that you will succeed in getting it before the Senate, as we feel sure that Congress must be aware that there is a strong public sentiment back of this demand for pure food. We have a selfish reason in urging the passage of pure-food legislation of a national character, as we are much annoyed in the different States by the different requirements and by technical rulings, which we think will be eliminated as soon as a national law is passed. Permit us to thank you for your advocacy of this worthy cause and pledge every assistance in our power.

Respectfully, yours, E. SCHNEIDER & CO.

Mr. McCUMBER. Now, Mr. President, I have given you the expressions of those who are in favor of this proposition, and I have yet to hear from any concern which will have the boldness to come here and say that they have any honest objection to this bill. If there are any objections, I should like to have them given before the Senate by any Senator who takes the stand that this bill is not right in any particular. The Committee on Manufactures desired to present a bill which would receive the hearty approval of the Senate as well as the approval of the public. We believe we have presented a bill, and I have given you to-day some of the evidences of the feeling of the public in reference to it, and I see no reason why it should not be considered at this session and should not be passed.

Mr. President, in closing I simply desire to call attention to one objection that is made on behalf of the Commissioners of the District of Columbia. In a letter the health department writes to me as follows:

The proviso—

Referring to section 11—

is as follows:

"*Provided further*, That nothing in this act shall be construed to interfere with legislation now in force, enacted either by Congress for the District of Columbia or by the Territorial legislatures for the several Territories, regulating commerce in adulterated foods within the District of Columbia and the several Territories."

To amend this proviso in the manner indicated in your letter would be equivalent, in my judgment, to striking it out; for the proposed modification would effect the repeal of all existing legislation in conflict with the Hansbrough bill, and that is all that can occur if this proviso be omitted.

Mr. President, I will first read the whole section. It is as follows:

SEC. 11. That this act shall not be construed to interfere with commerce wholly internal in any State, nor with the exercise of their police powers by the several States: *Provided further*, That nothing in this act shall be construed to interfere with legislation now in force, enacted either by Congress for the District of Columbia or by the Territorial legislatures for the several Territories, regulating commerce in adulterated foods and drugs within the District of Columbia and the several Territories, except wherein such legislation conflicts with the provisions herein.

Now, I fail to see where this conflicts in any way with purely local legislation in the District of Columbia or in the Territories. The only legislation that is provided in this bill is simply a prohibition against the importation into the District of Columbia and the States of adulterated articles of food unless they are properly branded, and the sale in the States in original unbroken packages, and the sale in any manner in the District of Columbia of articles of adulterated or misbranded food.

There is no law upon the statute books authorizing the sale in the District of Columbia of adulterated foods, there is no law authorizing the sale of misbranded foods, and all that this proposed law does is to prohibit the sale therein. I know of no law which regulates the sale in the District which would be in conflict with this law.

Mr. President, that is all I desire to say to-day, as 2 o'clock has now arrived. I shall ask at some other time that the bill be taken up for final consideration before the adjournment of Congress.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13123) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 13, 17, 18, 19, 20, 23, 24, 27, 30, 32, 38, 41, 44, 141, 143, 160, 185, 186, and 191.

That the House recede from its disagreement to the amendments of the Senate numbered 16, 21, 25, 28, 29, 33, 34, 35, 36, 37, 39, 40, 42, 43, and 120, and agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with amendments as follows: In lieu of the sum proposed insert $2,000,000; and after the word "dollars," at the end of line 14, page 97 of the bill, insert the following: "*Provided*, That the Secretary of War is authorized to acquire leases in such lands in Hawaii as have been set aside for purposes of a military post;" and the Senate agree to the same.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
J. A. HEMENWAY,
Managers on the part of the House

The report was agreed to.

ARMY APPROPRIATION BILL.

Mr. PROCTOR. I ask the Chair to lay before the Senate the action of the House of Representatives on the Army appropriation bill.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *June 25, 1902.*

Resolved, That the House recedes from its adherence to the amendment of the Senate to the bill H. R. 12804, "An act making appropriation for the support of the Army for the fiscal year ending June 30, 1903," numbered 14, and agrees to the same with the following amendment: Strike out "four" and insert "three," and after "million," page 22, line 13 of the bill, insert "three hundred and fifty thousand."

That the House insists on its amendment to the amendment of the Senate numbered 15.

Mr. PROCTOR. The amendment proposed by the House to amendment No. 14 is an amendment which was asked for by the Senate conferees. I suppose it is proper to say that. The House recedes from its adherence to its disagreement to that amendment and proposes the amendment suggested by the Senate. Amendment No. 15 is one that was previously considered. I move that the Senate agree to the House amendment to amendment No. 14, and that it recede from its disagreement to the House amendment to amendment No. 15, and agree to the same.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate agree to the amendment proposed by the House to amendment No. 14 and recede from its disagreement to the House amendment to amendment No. 15, and agree to the same.

Mr. COCKRELL. That is right. That settles it. It winds up the bill and permits it to become a law.

Mr. JONES of Arkansas. I should like to have an explanation as to the effect of this action upon the matter in controversy between the two Houses. We have heard a good deal about it, and I should like to know what this action does. Does the Senate recede or does the House?

Mr. PROCTOR. Amendment No. 14 added $1,000,000 to the three million as the bill came to us from the House.

Mr. JONES of Arkansas. I understood that the House on some amendment, which went from the Senate, took it out of the hands of the conferees.

Mr. PROCTOR. They did. They adhered to their disagreement. They now recede from their adherence to their disagreement to amendment No. 14, which is the one on which there was special difference, and agree to it with an amendment proposed by the Senate conferees. So the Senate retains its right to increase an appropriation.

Mr. COCKRELL. It seems that amendment No. 14, which the Senate, and the Presiding Officer, and so many said was held in abeyance, somehow or other got into the hands of the conferees, and they settled it as they would have done right at the beginning.

The House practically receded from its disagreement to amendment No. 14. That provided for $4,000,000. This they amended by striking out "four" and inserting "three" and adding "three hundred and fifty thousand."

Mr. BATE. The three hundred and fifty thousand goes to the fifteenth amendment?

Mr. COCKRELL. It goes to amendment No. 14. Then we agree to the amendment they made to amendment No. 15 by receding from our disagreement. So that ends the whole thing.

Mr. BATE. If I understood the Senator, amendment No. 14 reads not "$3,000,000," but "$3,350,000."

Mr. ALDRICH. It is important that the proper parliamentary motion should be made in this matter, as this purports to be an agreement between the two Houses.

Mr. COCKRELL. Oh, no.

Mr. ALDRICH. The adoption of the motion means an agreement between the two Houses on the bill.

Mr. COCKRELL. This comes up as the result of the conference report, and the entries that are made are correct.

Mr. ALDRICH. Amendment No. 15, which has been under discussion, is an amendment——

Mr. COCKRELL. Made by the Senate.

Mr. ALDRICH. Made by the Senate.

Mr. COCKRELL. And amended by the House.

Mr. ALDRICH. And an agreement means a recession on the part of the Senate.

Mr. COCKRELL. It was amended by the House, and we disagreed to the amendment, and it went into conference. We reported a disagreement. But now we move that the Senate recede from its disagreement and agree to that amendment. That ends it.

Mr. ALDRICH. Agree to the amendment of the House?

Mr. COCKRELL. Agree to the amendment of the House to amendment No. 15.

Mr. JONES of Arkansas. That results in an agreement between the two Houses.

Mr. COCKRELL. And enables the bill to become a law.

Mr. JONES of Arkansas. That is the way I understood it. I thought the Senator from Rhode Island was right. It is an agreement between the two Houses.

Mr. COCKRELL. It is an agreement, under that, between the two Houses on the conference report.

The PRESIDING OFFICER. The Chair will again put the question, which is on agreeing to the motion of the Senator from Vermont, which has been stated.

The motion was agreed to.

COURTS IN GEORGIA.

Mr. BACON. Will the Senator from New Hampshire yield to me just a moment that I may ask the Senate for the present consideration of a bill upon which there will be no debate?

Mr. GALLINGER. Yes; if there is to be no debate, I will yield.

Mr. BACON. I ask the Senate to consider the bill (H. R. 12205) to provide for circuit and district courts of the United States at Valdosta, Ga.

The Secretary read the bill: and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

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

CONSIDERATION OF THE CALENDAR.

Mr. ALDRICH. I believe there is no unfinished business before the Senate. I ask that after the Senator from New Hampshire [Mr. GALLINGER] shall have concluded his remarks the Senate proceed to unobjected bills upon the Calendar under the eighth rule.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that after the Senator from New Hampshire has yielded the floor the Senate shall proceed to the consideration of unobjected cases on the Calendar under Rule VIII. Is there objection? The Chair hears none.

CALL OF THE ROLL.

Mr. GALLINGER. Mr. President——

Mr. SCOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Clay,	Jones, Ark.	Quarles,
Bacon,	Cockrell,	Kean,	Quay,
Bailey,	Culberson,	McEnery,	Scott,
Bate,	Dietrich,	McLaurin, Miss.	Spooner,
Berry,	Dolliver,	McMillan,	Stewart,
Blackburn,	Dryden,	Martin,	Taliaferro,
Burnham,	Fairbanks,	Millard,	Teller,
Burrows,	Foraker,	Money,	Tillman,
Burton,	Frye,	Nelson,	Vest,
Carmack,	Gallinger,	Patterson,	Wellington.
Clark, Mont.	Gamble,	Pettus,	
Clark, Wyo.	Heitfeld,	Platt, N. Y.	

The PRESIDENT pro tempore. Forty-six Senators have responded to the roll call. There is a quorum present. The Senator from New Hampshire will proceed.

SAFETY APPLIANCES ON RAILROADS.

Mr. ALDRICH. Will the Senator from New Hampshire yield to me a moment to enter a privileged motion?

Mr. GALLINGER. Certainly.

Mr. ALDRICH. I desire to enter a motion to reconsider the vote by which Senate bill 3560 was passed yesterday.

Mr. SPOONER. What is the bill?

Mr. ALDRICH. It is the bill in regard to safety appliances on railroads. I do not ask that the motion shall be acted on now, but I will call it up later.

The PRESIDENT pro tempore. Has the bill been sent to the House?

Mr. ALDRICH. I am not sure whether it has been or not.

Mr. FORAKER. I understand the Senator asks that the bill may be reconsidered only for the purpose of changing a date as to the time when a certain part of the act shall go into effect. If the Senator will let the matter lie over until to-morrow, it may not be necessary to press the motion.

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

The PRESIDENT pro tempore. Does the Senator enter the motion?

Mr. ALDRICH. I enter the motion, and the motion may go over until to-morrow for action.

The PRESIDENT pro tempore. If the bill in the meantime has been sent to the House, there should be a motion made for its recall.

Mr. ALDRICH. I meant to include in my motion a motion that the House of Representatives be requested to return the bill to the Senate.

The PRESIDENT pro tempore. The Senator from Rhode Island moves that the House be requested to return the bill.

The motion was agreed to.

PROTECTION OF MINERS.

Mr. GALLINGER. The Senator from Montana [Mr. CLARK] tells me that he is about to leave the city and has a conference report to submit. I yield to the Senator for that purpose and will then take the floor.

Mr. CLARK of Montana submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8327) to amend an act entitled "An act for the protection of the lives of miners in the Territories," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to same with amendments as follows: On page 1, line 8, of the bill strike out "at a depth of 100 feet or more," and the Senate agree to the same; and on page 2, line 19, after the word "currents," insert: "*Provided*, That all owners, lessees, operators of, or any other person having the control or management of any coal shaft, drift, slope, or pit in the Indian Territory, employing twenty or more miners to work in the same, shall employ shot firers to fire the shots therein. Said shots shall not be fired to exceed one per day, at 12 o'clock noon in cases where the miners work but half a day, and at 5 o'clock in the evening when the mine is working three-quarters or full time, and they shall not be fired until after all miners and other employees working in said shafts, drifts, slopes, or pits shall be out of same;" and the Senate agree to the same.

W. A. CLARK,
C. D. CLARK,
Managers on the part of the Senate.
MALCOLM A. MOODY,
CHARLES F. SCOTT,
Managers on the part of the House.

The report was agreed to.

EXISTING TARIFF LAW.

Mr. GALLINGER. Mr. President, I rise to speak to the resolution that I offered yesterday, which was laid before the Senate during the morning hour.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. GALLINGER, as follows:

Resolved, That the present phenomenal prosperity in all lines of business and industry in the United States is largely due to the existing tariff law, and the best interests of the country demand its continuance.

Mr. GALLINGER. Mr. President, in less than a month the Dingley tariff law will have been in operation five years. It has been for the United States a half decade of the most substantial and marvelous accomplishment in all branches of human endeavor ever known in the history of not only our own country, but of the whole world.

Two years ago I laid before the Senate a résumé of the calamity and misery caused by the Wilson-Gorman tariff law and the wonderful recovery we enjoyed under the first years of the Dingley law, which took its place. I now propose to call attention to a more complete result of this tariff in the principal avenues of finance and commerce.

In every way the Dingley tariff law has been an unqualified success and has more than vindicated the wisdom of its framers. President McKinley within a few hours after his first inauguration called an extra session of Congress, and in his message referring to the need of a new tariff law he said:

Congress should promply correct the existing condition. Ample revenues must be supplied not only for the ordinary expenses of the Government, but for the prompt payment of liberal pensions and the liquidation of the principal and interest of the public debt. In raising revenue, duties should be so levied upon foreign products as to preserve the home market as far as possible to our own producers; to revive and increase manufactures; to relieve and encourage agriculture; to increase our domestic and foreign commerce; to aid and develop mining and building, and to render to labor in every field of useful occupation the liberal wages and adequate rewards to which skill and industry are justly entitled.

On the same day in which this message was read Mr. Dingley, the chairman of the Ways and Means Committee, introduced the new tariff bill. It passed the House March 31. It passed the Senate in an amended form on July 7, and on July 24 the bill, as agreed to by the conference committee, was signed by the

President. It is probable that no act of William McKinley's life gave him more satisfaction than the signing of this measure.

During these five years we have waged and won a war with a foreign nation, we have had strikes involving hundreds of thousands of men, and we have had partial failures in several staple crops, and yet we have had the most prosperous era in our history, and to-day our commercial standing as a nation excites the wonder of the civilized world.

REVENUE.

Let me first call attention to our revenue during the past five years as compared to our revenues under the Wilson-Gorman law. It will be remembered that we had an annual deficit during those low-tariff years, and President Cleveland during a time of peace sold bonds to the amount of $262,000,000, which, with interest to time of maturity, will cost the country half a billion dollars.

The following table will show the revenue under the Dingley law as compared with that of the Wilson-Gorman law:

Year ending June 30—	Customs receipts.	Total receipts.
1895	$152,158,617	$313,390,075
1896	160,021,752	326,976,200
1897	176,554,127	347,721,905
Average	162,911,499	329,362,727
1898	149,576,062	405,321,335
1899	206,128,481	515,960,620
1900	233,164,871	567,240,851
1901	238,491,789	585,752,067
1902	252,000,000	550,000,000
Average	215,872,241	524,854,975

We have repealed war taxes to the amount of over $100,000,000, and yet our revenue is more than sufficient to meet the greatly increased expenses of the Government. For the fiscal year 1900 our surplus was $79,527,060; for 1901 it was $75,713,363, and for 1902 it will exceed $80,000,000, which is quite a difference as compared with the annual deficits under the Wilson-Gorman tariff.

EMPLOYMENT AND EARNINGS.

Supply will always be governed by demand, and demand will depend on ability to buy, so that purchasing power is the basis of prosperity. Our spendable income is governed by the amount of employment and earnings of all classes, and in this respect we are breaking records year after year under the continued successful operation of the Dingley tariff.

Samuel Gompers, president of the American Federation of Labor, estimated that 3,000,000 men were out of employment during the low-tariff period from 1893 to 1897. Not only that, but the wages of those employed were constantly forced down, many working only part time at that. Now, Mr. President, what does it mean to have 3,000,000 men idle? At $2 per day it means a loss of $1,800,000,000 a year in wages, or $9,000,000,000 in five years. That is more than all the gold and silver in the world. It means a loss of $3,000 each to 3,000,000 families, and $3,000 will buy a large quantity of food and clothing and education and comfort and happiness. The earnings lost during the low-tariff period can not be calculated, but whatever they were we have a different story to tell of the past five years.

Not only is labor all over the country fully employed, but wages have been increased again and again. It is impossible to give exact figures of the number of persons employed or the amount of wages paid, and yet we can get a relative idea from the labor bulletins of the different States. Take Massachusetts, for instance, a typical manufacturing State. The Bureau of Statistics of Labor presents from time to time an index figure indicating the level of employment and earnings. In the May number of the Labor Bulletin a comparison is made between April, 1902, and February, 1898. Starting with 100 as a base, the following result is shown:

	February, 1898.	April, 1902.
Population	100	109.65
Employment	100	116.76
Weekly earnings	100	137.36

That is, employment has increased nearly twice as fast as population, and earnings have increased twice as rapidly as employment, or four times as much as population, and if the comparison were made with 1895 and 1896, the contrast would be much greater. What is true of Massachusetts is no doubt true of New York, New Jersey, Pennsylvania, Illinois, and the other industrial States. This is the result of Dingleyism; this is the foundation of our splendid home market; this is the demand that keeps our mills running night and day, our railroads freighted to their utmost capacity, and our farmers busy and well rewarded with sales of their entire surplus product at good prices. Not only is every income earner employed at high salaries and wages, but the hours of labor have been shortened, with its consequent hour or two more of domestic and social intercourse and happiness.

AGRICULTURE.

I wish to show now, Mr. President, the effect of these immense earnings upon our agriculture, then upon our manufactures. First, as regards agriculture. Said the Orange Judd Farmer, in its issue of October 19, 1901:

The most prosperous year in the history of the American farmer is drawing to a close.

And yet last year we had an unusually short corn crop, a small potato and apple crop, and, with the exception of wheat, only a normal crop in all staples. I now want to compare the size and value of our farm products during 1896, our last low-tariff year, and 1901, our last protection year. The figures are as follows in round millions, as estimated by the Department of Agriculture:

	Quantity.		Value.	
	1896.	1901.	1896.	1901.
CROP.				
Wheat ..... bushels	470,000,000	748,000,000	$341,000,000	$467,000,000
Corn ..... do	2,270,000,000	1,522,000,000	488,000,000	922,000,000
Oats ..... do	717,000,000	736,000,000	134,000,000	294,000,000
Rye ..... do	24,000,000	30,000,000	10,000,000	17,000,000
Barley ..... do	70,000,000	109,000,000	23,000,000	48,000,000
Flaxseed ..... do	17,000,000	29,000,000	10,000,000	35,000,000
Buckwheat ..... do	14,000,000	15,000,000	5,500,000	8,500,000
Potatoes ..... do	245,000,000	167,000,000	70,000,000	100,000,000
Cotton ..... bales	8,800,000	10,500,000	290,000,000	368,000,000
Hay ..... tons	59,000,000	51,000,000	385,000,000	510,000,000
Apples ..... barrels	69,000,000	25,000,000	69,000,000	63,000,000
Total value of above crops			1,825,500,000	2,832,500,000
LIVE STOCK.				
Milch cows ..... number	16,000,000	20,000,000	366,000,000	644,000,000
Cattle ..... do	32,000,000	32,000,000	509,000,000	885,000,000
Hogs ..... do	43,000,000	50,000,000	186,000,000	298,000,000
Sheep ..... do	38,000,000	43,000,000	65,000,000	134,000,000
Horses ..... do	15,000,000	15,000,000	500,000,000	720,000,000
Total value live stock			1,626,000,000	2,681,000,000
Aggregate values			3,451,500,000	5,513,500,000

Here is an increase in value of over $1,000,000,000 in these crops and an increase of over $1,000,000,000 in the value of farm animals, and it must be remembered that 1901 was a poor year and 1896 a good year in farm production. What made this increase of over $2,000,000,000? It was the demand of fully employed, well-paid people, due to a tariff that enables us to do our own work instead of hiring the cheap labor abroad to do it for us.

In this connection I want to quote the following from the Orange Judd Farmer of October 19, 1901:

Encouraging as is the agricultural situation for this year, it is still more interesting when we reflect that 1901 is the fifth year of the successive upward trend to agricultural values. Some conception may be formed of the tremendous improvement that has been wrought in the farmers' financial condition when we find that for the past five years the cereal crops made a value of $6,245,000,000, compared to $5,282,000,000 during the five years of agricultural depression ending with 1896. The annual average value of cows, cattle, hogs, and sheep for the past half decade has been $345,000,000 more than for the previous period, but the total value of horses still shows a heavy decline from the boom of 1892.

All history affords no precedent for so remarkable a transformation. It is shown also by the degree to which farm mortgages have been paid up, and by the substantial improvements that have been made in farm buildings and equipment, and by the strong upward tendency to the value of farm lands, especially in the Central and Western States.

Even billions of dollars can inadequately express the improvement in agricultural values and incomes compared to the depths of the late depression. And because farmers are in this prosperous condition, and because they are the greatest consumers of manufactures, the industrial outlook is generally satisfactory and encouraging.

Here is a statement of fact by a conservative farm journal without the reasons. From 1893 to 1897 we had practical free trade. From 1897 to 1901 we had protection. No one claims, Mr. President, that the tariff has anything to do with the size of crops, but I do maintain that it has much to do with values. The 3,000,000 idle men of 1896 could not buy much bread. They could not eat as many potatoes, apples, and other products of the farm, and as we consume 90 per cent of our farm products at home, our farmers are dependent on the purchasing power of the people for both quantity disposed of and price received.

A protective tariff insures the farmer against the disaster that would otherwise attend a short crop because the people can

afford to pay the enhanced price. That is why the farmer got nearly twice as much for his short corn crop of last year as he did for his good crop of 1896. I showed in this Chamber two years ago that the farmers of the country lost $10,000,000,000 because of low tariff agitation and operation. Since the Dingley law went into effect they have gained in increased prices and enhanced values much more than this amount. They have paid off mortgages to the amount of many millions; they have bought millions of dollars' worth of new machinery and implements; they have improved their property, and many farm values are to-day double what they were in 1895 and 1896.

During the fiscal year 1901 we exported nearly a billion of dollars' worth of agricultural products against a little more than half a billion dollars' worth in each of the fiscal years 1895 and 1896. The average agricultural exports during the years 1898, 1899, 1900, and 1901 exceeded $850,000,000 in value against $550,000,000 in 1895 and 1896, a gain of $200,000,000 a year, and yet the crops of 1895 and 1896 were abnormally large.

I want to emphasize this fact, Mr. President, that it is not the size of the farmer's crop, but the value of the crop which rewards his industry; and the value must and does depend on the tariff, which gives good wages the year round to all consumers. And the very prosperity which comes to the farmer goes back to the manufacturer and merchant and railroads and labor of all kinds in the increased consumption of implements, clothing, building material, and necessaries and luxuries of a thousand and one kinds. So we all become interdependent, and protection scatters its benefits and blessings far and wide.

SHEEP AND WOOL.

Free wool was one of the features of the Wilson-Gorman tariff. The Dingley law reimposed the adequate protection given by the McKinley law. Let me give a few figures showing the result, first, as regards domestic production and imports of wool:

Year.	Production.	Imports.
	Pounds.	*Pounds.*
1893	303,000,000	172,435,838
1894	298,000,000	55,152,558
1895	310,000,000	206,033,906
1896	273,000,000	230,911,473
1897	259,153,251	350,852,026
1898	266,720,684	132,795,302
1899	272,191,330	76,739,219
1900	288,636,621	155,918,455
1901	302,502,328	103,583,505

Nearly 800,000,000 pounds of wool were imported during the three years 1895, 1896, and 1897, and, Mr. President, I am informed that we have not used it up yet. Now, let me give a list of prices of Ohio fleece wool on the 1st of October last, as furnished by Mauger & Avery, of Boston:

Year.	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
1893	23	24	21
1894	19	21	19
1895	18	21	19
1896	18	19	18
1897	27	29	25
1898	28½	30	24½
1899	31	33½	29
1900	26½	28½	26½
1901	25	26½	23

And it must be understood that these prices under the Dingley law have been maintained in spite of the lowest figures abroad ever known. Our woolgrowers have reaped a profit of a few cents on every pound of wool produced, while the London market has shown the greatest slump in its history. So much for wool. Now a glance at sheep and their value:

Year.	Number.	Value.
1893	47,272,553	$125,909,264
1894	45,048,017	89,186,110
1895	42,294,064	66,685,767
1896	38,298,783	65,167,735
1897	36,818,643	67,020,942
1898	37,656,690	92,721,133
1899	39,114,453	107,697,530
1900	41,883,065	122,665,913
1901	43,000,000	134,000,000

These are the very conservative figures of the Department of Agriculture. These figures of sheep and wool show just what free wool and protected wool do for the farmer. But what of our woolen industry? Closed mills and mills working part time in 1896. Busy mills in 1902. The woolen industry has been greatly depressed throughout the world because of overproduction. Our woolen manufacturers have suffered too, but not to the extent of those abroad, and the outlook is far from gloomy. Full recovery may come at any time, but it is different with the sheep industry. In this connection I want to quote a pat paragraph from a speech delivered by my friend the senior Senator from Wyoming before the Wool Manufacturers' Association at the Hotel Savoy, New York, January 9, 1901. Senator WARREN said:

> Gentlemen, woolen mills may be shut down at dark and reopened at daylight; shut down a month, or even a year, and still be there on the ground when needed for business; but sheep can not be so shut down and reopened. It takes years to recover from losses suffered, while it only takes months to effect them.

OUR TOBACCO INDUSTRY.

No one will dispute that tobacco and cigars are a luxury, and that their increased consumption must indicate increased prosperity. It will be interesting, then, to note the conditions of the industry now, as compared with low-tariff times of five years ago. The following table shows the comparison:

PRODUCTION AND CONSUMPTION OF TOBACCO IN THE UNITED STATES.

Fiscal year.	Production of cigar leaf.	Used in cigars and cigarettes.	Cigar output.
	Pounds.	*Pounds.*	
1894	88,650,000	87,336,348	4,066,917,433
1895	66,500,000	89,680,605	4,163,972,440
1896	77,000,000	93,764,920	4,237,755,943
1897	110,662,750	90,950,987	4,063,169,097
1898	105,702,450	104,116,393	4,910,937,397
1899	147,106,050	104,589,331	5,077,287,824
1900	142,686,250	120,350,271	5,963,170,381
1901	131,444,050	128,448,475	6,475,438,411

It will be seen that our tobacco production is double what it was in 1895 or 1896, and that we are consuming about the entire output. The increase in cigar manufacture has been more than 50 per cent. The tobacco used in the cigar and cigarette output for the year ending June 30, 1901, was approximately 128,448,475 pounds. To this add 20,000,000 pounds used in smoking tobacco and 24,865,170 pounds imported, and a total of 173,313,645 pounds was apparently consumed. But on June 30, 1901, there were 17,896,518 pounds in hand, which would leave 155,417,127 as being used. Deducting 5,417,127 pounds exported, and a total of about 150,000,000 pounds would be required. This was practically the size of the domestic crop for 1899 and 1900, which brought the best price for years.

MANUFACTURES.

While the census report on manufactures for 1900 is most satisfactory, it by no means shows the full result of the operation of the Dingley law. The total value of products for 1900 is given at $13,040,013,638, as against $9,372,437,283 in 1890. We have progressed wonderfully in the last two or three years, and it is likely that the output for 1902 will exceed $15,000,000,000, which is double the output of 1895 or 1896. In spite of consolidations and combinations, the number of manufacturing establishments increased over 44 per cent in the last decade.

The following table, which I have compiled from the census report on manufactures, will show the great gain we made in our large industries during the last decade in spite of the adverse conditions of four years, affected by a low tariff law:

Manufacturing output in certain industries, 1890 and 1900.

Articles.	1890.	1900.
Agricultural implements	$81,271,651	$101,207,428
Boots and shoes, factory product	220,649,358	261,028,580
Carriages and wagons	114,551,907	121,537,276
Cars, etc	129,461,698	218,238,277
Chemical products	174,699,079	202,582,396
Cotton manufactures	267,981,724	339,198,619
Flouring and grist mill products	513,971,474	560,719,063
Iron and steel	478,687,519	835,759,034
Leather	171,063,337	204,038,127
Liquors	289,775,639	340,615,466
Lumber and timber products	437,957,382	596,832,984
Paper and pulp	78,937,184	127,286,162
Printing and publishing	179,859,750	222,983,569
Shipbuilding	38,065,410	74,578,158
Silk and silk goods	87,298,454	107,256,258
Slaughtering	561,611,668	786,603,670
Wool manufactures	345,655,524	400,093,833

These are but a few of our principal industries in which I wish I could make the comparison between 1902 and 1896. To some extent this can be done in our iron and steel manufactures.

While we have made wonderful progress in all lines of manufacturing since the enactment of the Dingley law, it is in iron and steel products that we have made the largest gains. This

can be shown in no better way than by a comparison of pig-iron production for the past few years. It has been as follows:

	Tons of 2,240 pounds.
1894	6,657,388
1895	9,446,308
1896	8,623,127
1897	9,652,680
1898	11,773,934
1899	13,620,703
1900	13,789,242
1901	15,878,354

This year the amount will exceed 17,000,000 tons, or nearly three times the production of 1894.

The total production of all kinds of iron and steel rolled into finished forms in the United States since 1892 can be seen from the following table, taken from the Annual Report of the Iron and Steel Association:

Production of rolled iron and steel, gross tons, 1892–1902.

Year.	Iron and steel rails.	Bars, hoops, skelp, and shapes.	Wire rods.	Plates and sheets, except nail plate.	Cut nails.	Total.
1892	1,551,844	3,033,439	627,829	751,460	201,242	6,165,814
1893	1,136,458	2,491,497	537,272	674,345	136,113	4,975,685
1894	1,021,772	2,155,875	673,402	682,900	108,262	4,642,211
1895	1,306,135	3,005,765	791,130	991,459	95,085	6,189,574
1896	1,122,010	2,731,932	623,986	965,776	72,137	5,515,841
1897	1,647,892	3,081,760	970,736	1,207,286	94,054	7,001,728
1898	1,981,241	3,941,957	1,071,683	1,448,301	70,188	8,513,370
1899	2,272,700	4,996,801	1,036,398	1,903,505	85,015	10,294,419
1900	2,385,682	4,390,697	846,291	1,794,528	70,245	9,487,443
1901	2,874,639	5,785,479	1,365,934	2,254,425	68,850	12,349,327

This shows an increase of over 100 per cent since 1895–96. Cut nails have given way to wire nails, the production of which has grown enormously since adequate protection was given to the industry in 1883. The following table shows the result:

Production of wire nails in kegs of 100 pounds.

1882	50,000	1892	4,719,524
1883	80,000	1893	5,095,985
1884	120,000	1894	5,681,801
1885	200,000	1895	5,841,403
1886	300,000	1896	4,719,860
1887	500,000	1897	8,997,245
1888	1,000,000	1898	7,418,475
1889	2,200,000	1899	7,618,130
1890	3,500,000	1900	7,233,979
1891	4,114,385	1901	9,803,822

The price in 1883 was 8.35 cents per pound, and in 1902, 2.45 cents per pound.

Another more recent but none the less remarkable instance of an industry made possible by protection is our tin-plate industry, due to the McKinley law. The following table shows the change in our production and importations:

Production and importation of tin plate.

Year.	Imports.	Production.
	Gross tons.	*Gross tons.*
1890	329,435	None.
1891	327,882	999
1892	268,472	18,803
1893	253,155	55,182
1894	215,068	74,260
1895	219,545	113,606
1896	119,171	160,362
1897	83,851	256,598
1898	66,775	326,915
1899	58,915	360,875
1900	66,055	302,665
1901	52,625	399,291

So great is our production of iron and steel that we can not supply the demand at any price, and we are forced to importations.

Our exports of manufactures, although but a small per cent of our production, show a remarkable advance under the Dingley tariff, as will be seen from the following table:

	Value.
1893	$158,023,118
1894	183,728,808
1895	183,595,743
1896	228,571,178
1897	277,285,391
1898	290,697,354
1899	339,592,146
1900	433,851,756
1901	412,155,066

For the present year the value will be about the same as last year in spite of a decrease in price in many commodities and the falling off in iron and steel exports, due to home consumption. The manufacturing situation to-day in the United States can be summed up in the statement that practically every mill and factory and shop is working to full capacity, with orders far ahead and prices most satisfactory.

In connection with this subject of our manufactures I want to call attention to the fact that the large increase is not confined to the great manufacturing States of the East. Let me show what our Territories are doing. Here are the figures from the Census Bureau:

Territory.	Value of product.		Increase, per cent.
	1900.	1890.	
Arizona	$21,315,189	$947,547	2,150
New Mexico	5,605,795	1,516,195	270
Indian Territory	3,892,181	248,932	1,464
Oklahoma	7,083,938	180,445	3,826
Total	37,897,103	2,893,119	1,210

Here also are the figures from three States that confirm my contention that protection is spreading its benefits in every part of the land:

State.	Value of product.		Increase, per cent.
	1900.	1890.	
Idaho	$4,020,532	$1,396,096	188
Nevada	1,643,673	1,105,063	49
Wyoming	4,301,240	2,367,601	82

As showing how wages in manufacturing affect value of farm products, I want to present the following figures from the census report of Arizona:

	1900.	1890.	Increase, per cent.
Wages	$2,369,065	$302,146	684
Farm products	6,179,397	1,045,970	480

The argument holds good in Arizona as well as Massachusetts and every other section of the country.

BEET SUGAR.

An industry made possible by the Dingley law was the manufacture of sugar from beets. The progress made is seen in the following figures:

	1896-97.	1901-2.
Number of factories	7	42
Tons produced	40,000	185,000

The new plants projected for 1902 number 83, with a capital of $50,000,000, capable of a total output of 550,000 tons annually and a purchasing capacity of $20,000,000 worth of sugar beets.

MINERAL PRODUCTS.

Our mining statistics show the same substantial increase as our agriculture and manufacturing. I give simply a comparison between 1896 and 1901 in a few products and the total value:

	1896.	1901.
Gold	$53,000,000	$83,000,000
Iron ore	23,000,000	75,000,000
Coal	196,000,000	325,000,000
Stone	30,000,000	55,000,000
Total mineral products	622,000,000	1,200,000,000

The iron ore, coal, and stone are put into use as fast as mined, and add most materially to our manufacturing and building output. We have almost doubled the value of our mineral products under the demands of industry made possible by a return to protection, and the mining, transportation, and conversion into a useable commodity, consisting, as it does, of so much increased labor, is but another testimony to the benefits of the Dingley law.

RAILROAD BUSINESS.

The effect of the great consumption of farm products and manufactures is nowhere more apparent than in the enormous railroad business of the country. We have now passed the 200,000 mark in system mileage and are approaching 300,000 in total miles of track. Over 1,000,000 men are employed with annual wages exceeding $600,000,000. The railroad systems of the country represent a capital of $12,000,000,000, with annual earnings exceeding $1,500,000,000. Six hundred million passengers

are carried annually and over 1,100,000,000 tons of freight. I want now, Mr. President, to show the difference between railroad business in this country during low tariff times and protection times. The following table will show statistics of the Interstate Commerce Commission and Poor's Manual:

LOW-TARIFF PERIOD.

Years.	Freight carried, tons.	Miles built.	Dividends paid.	Gross receipts.
1895	696,761,171	1,650	$81,685,774	$1,092,395,437
1896	765,891,385	1,704	81,528,154	1,125,632,025
1897	741,705,946	1,818	83,680,040	1,132,866,626
Average	734,786,164	1,724	82,297,989	1,116,964,696

PROTECTIVE-TARIFF PERIOD.

1898	879,006,307	2,215	$94,937,526	$1,249,358,724
1899	959,763,583	3,966	109,032,252	1,336,096,379
1900	1,101,680,238	3,503	140,343,653	1,501,695,378
1901	[a] 1,350,000,000	5,057		
Average	1,072,612,542	3,685	114,771,144	1,362,450,227

[a] Estimated.

LOW-TARIFF PERIOD.

Year.	Wages paid.	Number of employees.	Freight rate per ton-mile.
			Cents.
1895	$445,508,261	785,094	0.839
1896	468,824,531	826,620	.806
1897	465,601,581	823,476	.798
Average	459,978,124	811,710	.814

PROTECTIVE-TARIFF PERIOD.

1898	$495,055,618	874,558	0.753
1899	522,967,896	928,924	.724
1900	577,264,841	1,017,653	.729
1901	[a] 634,000,000		
Average	557,072,091	940,378	.735

[a] Estimated.

I regret exceedingly that I can not get the exact figures for 1901 and an estimate for the present year, for they would show a most substantial increase over 1900. Enough is known, however, to warrant the statement that our railroad business is now more than 50 per cent better in every way than during the low-tariff period.

The railroad business is the index of the country's progress and prosperity. It is dependent upon the demand made by consumers and the supply of producers. It is a fact that for three years our railroads have been pushed to their very utmost facilities of rolling stock. A car famine is the only famine we have known under the Dingley law. Locomotives and freight cars can not be made fast enough with all the facilities of our great locomotive and car works.

Our free traders delight in calling our railroads a "nonprotected" industry, and yet there is no business in the country that shows so quickly and so substantially the effect of the tariff as the railroads. Why did the freight business practically stand still during the operation of the Wilson-Gorman law? Why has it increased at the rate of 15 to 20 per cent yearly under the Dingley law and would increase even more rapidly if cars and locomotives could be had? Why were so many railroads in the hands of receivers in 1896 and so few in receivers' hands in 1902? Why have the value of railroad stocks increased so enormously in the past five years? Do not tell me these are fictitious values or I shall point to the dividends now paid as compared with 1896—fully 100 per cent more. And to whom are these dividends paid? From the report of the Interstate Commerce Commission I take these figures for 1900:

Stocks outstanding	$5,845,579,593
Owned by railway corporations	1,470,218,972
Not owned by railway corporations	4,375,360,621
Bonds	4,900,626,823
Owned by railway corporations	472,831,377
Not owned by railway corporations	4,427,795,446
Total stocks and bonds	10,746,206,416
Owned by railway corporations	1,943,050,349
Not owned by railway corporations	8,803,156,067

Who owns the railroads, then? Let me give a few figures:

	Stockholders.
New York Central	15,000
Pennsylvania	28,000
New York, New Haven and Hartford	10,000
Union Pacific	14,000
Chicago, Burlington and Quincy	13,000
Northern Pacific	10,000
Atchison, Topeka and Santa Fe	13,000
Illinois Central	5,000
Southern Railway	4,700
Erie	3,450

And so on, and the dividends are scattered through thousands of different channels, carrying income and support to a quarter million of people, besides the millions concerned in the earnings of over a million employees.

SHIPPING.

I have shown the wonderful progress made in railroading during the past few years. I now wish to present some figures showing the remarkable increase in tonnage of our merchant marine. The figures are from the report of the Bureau of Navigation:

Year ending June 30—	Vessels built and total tonnage.				Tonnage of merchant marine of the United States.	Per cent of foreign trade carried in American vessels.
	Sailing.	Canal boats and barges.	Steam.	Total.		
	Gross tons.	Gross tons.	Gross tons.	Gross tons.		
1890	102,873	32,204	159,046	294,123	4,424,497	12.9
1891	144,290	39,975	185,037	369,302	4,684,759	12.5
1892	83,217	23,885	92,531	199,633	4,764,921	12.3
1893	49,348	27,923	134,368	211,639	4,825,071	12.2
1894	37,827	9,648	83,720	131,195	4,684,029	13.3
1895	34,900	6,949	69,753	111,602	4,635,960	11.7
1896	65,237	23,832	138,028	227,097	4,703,880	12
1897	64,309	61,770	106,153	232,232	4,769,020	11
1898	34,416	40,204	105,838	180.458	4,749,738	9.3
1899	98,073	50,907	151,058	300,038	4,864,238	8.9
1900	116,460	44,802	202,528	393,790	5,164,839	9.3
1901	126,165	83,733	273,591	483,489	5,524,218	8.2

It will be seen that we were doing very well during the operation of the McKinley law, but what a collapse under the Wilson-Gorman law. Now note the advance under the Dingley tariff. Our tonnage built last year was four times that built in 1895. It will be seen that over 90 per cent of our foreign trade is carried in foreign bottoms, so that our tonnage of merchant marine is used almost wholly in coast and lake commerce. The enormous increase in tonnage, then, gives a pretty accurate idea of the increase in our coast and lake traffic.

BANK CLEARANCES.

Our bank clearings represent the volume of business transacted, as about 98 per cent of settlements are made by bank checks and credits which are recorded in the clearing houses of the country. Here, then, we get a basis of relative business done; and to show the comparison I present the total bank clearings since 1892, taken from the figures of the Bureau of Statistics of the Treasury Department:

	Bank clearances.		Bank clearances.
1892	$60,833,572,438	1897	$54,179,545,030
1893	58,880,682,455	1898	65,924,820,769
1894	45,028,496,746	1899	88,909,661,776
1895	50,975,155,046	1900	84,582,450,081
1896	51,935,651,733	1901	114,190,226,021

It will be seen how business fell off in 1893 and 1894 when we were threatened with free trade and begun to live under the operation of the Wilson-Gorman law. We recovered but little in the next two years, and 1897 found us doing less business than in 1892. But note the result since, under the workings of the Dingley tariff. Observe the great increases each year, till in 1901 we find the clearings more than double what they were in 1895 or 1896. These are the records of actual business transactions, for bank balances are computed to a cent. The clearings for the first four months of 1902 were $39,000,000,000, showing that we are about equaling the record-breaking figures of last year. We are almost doubling the figures of 1892, a most astonishing result. In this connection, I may say that the clearings of New York City in 1902 are 60 per cent larger than the clearings of London, though the latter city has a million more population and does most of the business of England.

POST-OFFICE BUSINESS.

From bank clearings to postage stamps is a wide step, but I want to emphasize the value of a protective tariff in small transactions as well as great. It would seem as if one need never to retrench in the matter of postage, no matter how poor the times may be. The constant increase in population makes an increase

in postal revenues almost imperative, and yet the little 1 and 2 cent stamps, like everything else, show the difference between adversity and prosperity. I present herewith a table showing our postal receipts for a period of years from 1889 to 1902:

1889	$56,175,611	1896	$82,499,208
1890	60,882,097	1897	82,665,463
1891	65,931,786	1898	89,012,619
1892	70,930,476	1899	95,021,384
1893	75,896,933	1900	102,254,579
1894	75,080,479	1901	111,631,193
1895	76,983,128	1902	[a]122,680,000

[a] Estimated from ten months.

Here (from 1889 to 1893) is the constant increase we should look for. In 1894 there is an actual decrease and no material increase the year following. In short, the average annual increase from 1893 to 1897 is only $1,689,633, really a falling off considering the increase in population. But look at the result since the Dingley law went into effect. An increase of over $40,000,000, or an average of $8,000,000 a year. We are increasing our expenditures largely every year, and yet our revenues are increasing still more rapidly till soon we will have a self-supporting department and ultimately 1 cent postage.

Our rural free delivery is being rapidly extended till soon every farmer in the land will have his daily mail delivered at his door, giving him his daily paper, daily weather and crop reports, and making him more expert in his labor, more intelligent, and more prosperous and happy. Thus protection scatters its blessings with the increased sales of the postage stamps as it does with the ton of rails or the huge locomotive.

TELEGRAPH AND TELEPHONE.

Somewhat akin to postal business is that of our telegraph and telephone companies. To many the telegraph and telephone message is a necessity; to others it is a convenience; to others a luxury. In a most peculiar and significant way, then, the statistics tell the story of prosperity. The following table shows the receipts of the Western Union Telegraph Company since 1889:

1889	$20,783,194	1896	$22,612,736
1890	22,337,029	1897	22,638,859
1891	23,034,327	1898	23,915,733
1892	23,706,405	1899	23,954,312
1893	24,978,443	1900	24,758,570
1894	21,852,655	1901	26,354,151
1895	22,218,019	1902	[a]27,850,000

[a] Estimated.

As in everything else, we see an increase up to 1893, then a decrease till 1897, then a most substantial increase since. This increase during the operation of the Dingley law has been in spite of a most phenomenal increase in telephone business, an increase in the Postal Telegraph Company's business, and private-wire business. This increase in telephone business can be seen from the following table, showing subscribers and employees since 1894:

Calendar year.	Subscribers.	Employees.
1894	237,186	10,421
1895	243,432	11,094
1896	281,695	11,930
1897	325,244	14,425
Average annual increase	29,353	1,335
1898	384,230	16,682
1899	465,180	19,668
1900	632,946	25,741
1901	800,880	32,837
Average annual increase	138,883	5,385

These figures show nearly five times the annual increase under the Dingley law as compared with the years under the Wilson-Gorman tariff. And right here I want to show a comparison of the annual number of telephone messages in different countries according to the latest available statistics:

Austria-Hungary, 1899	116,724,879
Russia, 1898	103,426,088
Germany, 1899	540,324,386
France, 1898	141,226,883
Great Britain, 1900	639,476,448
United States, 1901	2,300,000,000

We do more telephoning than all the rest of the world put together at from 5 to 10 cents a message. All this has been made possible by the great prosperity brought to us by the Dingley tariff law.

SAVINGS AND SURPLUS.

Our savings-banks deposits represent a portion of the surplus earnings of the masses. The capitalist, the manufacturer, and the merchant do not use the savings banks. It is the wage-earner who uses that depository for a part of his surplus funds, and now, Mr. President, I want to show just what the amount of these savings have been during the past ten years:

Year.	Number of depositors.	Deposits.
1893	4,830,599	$1,785,150,957
1894	4,777,687	1,747,961,280
1895	4,875,519	1,810,597,023
1896	5,065,494	1,907,156,277
1897	5,201,132	1,939,376,035
1898	5,385,746	2,065,631,298
1899	5,687,818	2,230,366,954
1900	6,107,083	2,449,547,885
1901	6,373,098	2,601,189,291
1902	6,784,392	2,845,691,300

Including the savings in State banks, there are now over $3,000,000,000 of savings in the banks of the country against but little more than half that sum in 1894. It will be seen that in 1894 millions were withdrawn from the savings banks and from 1893 to 1897 the increase was only $154,225,078, or an average increase of $38,556,245 a year, while from 1897 to the present time the increase has been $906,315,265, or an average of $181,263,053 a year. This is a small part of what protection is doing for the people. And this is by no means idle money. Every dollar of it is at once put into use. It is loaned on bond and mortgage and is employed in buying construction and building material, and in State, and county, and municipal improvements—in the employment of labor at every turn.

My own State, New Hampshire, has had an interesting experience in the matter of savings bank deposits. For the years 1894, 1895, 1896, and 1897 there was an aggregate decrease of deposits to the enormous amount of $13,222,416, while for the years 1900 and 1901 there has been an increase of $1,988,829.

But these savings banks deposits by no means measure the surplus of the people's earnings. There are the building and loan associations, the insurance premium, the installments paid on the little home and on the furniture, the money spent for educating the children, and for the luxuries and ornaments of the body and home. Three billion dollars of savings put away for a rainy day and increasing at the rate of $200,000,000 a year, and we are by no means a provident people. We are the most extravagant people on earth, and we can afford to be under a protective tariff. It may be said that our deposits are larger than those of any other country because of our larger population. Let me give a table showing the average to each depositor in a few countries:

United States	$408	Belgium	$76
United Kingdom	96	Italy	80
Russia	100	Prussia	155
France	83	Germany	87

Whether we take total deposits, number of depositors, average to each depositor, or deposits per capita, the United States is not only far in the lead, but increasing faster than any other country.

Our deposits exceed those of Great Britain, France, Russia, and Austria combined, and these countries have a population four times as large as that of the United States.

INSURANCE.

I have shown, Mr. President, that we have nearly $3,000,000,000 deposited in our savings banks by almost 7,000,000 depositors and that we are adding $200,000,000 a year, and yet the insurance premium is but another form of savings bank, and we are paying annual premiums and assessments upon life insurance to the amount of $400,000,000. Let me present some of the insurance figures since 1893 that we may compare low-tariff times with protection times. The statistics are from the New York Insurance Report, but refer to the total business of the United States:

Year.	Policies issued.		Total income.
	Number.	Amount of insurance.	
1893	404,236	$1,058,659,846	$236,683,206
1894	336,843	985,520,033	253,624,478
1895	366,565	864,815,534	266,897,202
1896	350,106	796,124,326	279,373,107
1897	431,457	923,804,876	301,268,179
1898	485,735	1,018,366,027	320,810,628
1899	632,704	1,304,306,628	355,946,005
1900	687,005	1,356,769,653	392,358,941
1901	787,747	1,470,317,887	437,965,469

In 1894, 1895, and 1896 there was a decrease each year in number of policies issued and amount of insurance written. Policies lapsed by the thousands, and the loss was incalculable. Now look at the figures since 1896, a constant and large increase each year. More than double the number of policies were written in 1901 than were written in 1896. Nearly double the amount of insurance. This is a most significant showing. It means hundreds of millions for widows and orphans when the income earner is taken away.

From 75 to 80 per cent of the income of our insurance companies is from premiums, and here is an addition of nearly $400,000,000 a year to the $200,000,000 annual increase in savings, all to be loaned on bond and mortgage, to be put into commercial use, and most of it to find its way into the laborer's envelope. Thirteen billion dollars of life insurance in force in the United States—more than double that of all the world put together. But this is not all. We have over $23,268,047,232 of fire risks in force, and nearly $100,000,000 are paid in fire losses every year.

But it is not alone the man who has an increased income in good times who benefits from a tariff like the Dingley law. The man with a fixed income year after year benefits relatively just as much. In low-tariff times he is called upon by every relative and friend who is out of work, and his income is cut down correspondingly. Every man who was "touched" a dozen times a week in 1895 and 1896 appreciates this point in these days when there are no appeals from broken and hard-luck sources.

FOREIGN COMMERCE.

I have given glimpses of our domestic trade under the Dingley tariff and the wonderful advances we have made under protection. How about our foreign trade—the sale of our surplus abroad? In order that we may consider the matter intelligently, I present a table showing our exports and imports since 1890, taking my figures from the Bureau of Statistics of the Treasury Department:

Imports and exports of merchandise, 1890-1901.

Year ending June 30—	Imports.	Exports.	Total imports and exports.	Excess.	
				Imports.	Exports.
1890	$789,810,409	$857,828,684	$1,647,139,098		$68,518,275
1891	844,916,196	884,480,810	1,729,397,006		39,564,614
1892	827,402,462	1,030,278,148	1,857,680,610		202,875,686
1893	866,400,922	847,665,194	1,714,066,116	$18,735,728	
1894	654,994,622	892,140,572	1,547,135,194		237,145,950
1895	731,969,965	807,538,165	1,539,508,130		75,568,200
1896	779,724,674	882,606,938	1,662,331,612		102,882,264
1897	764,730,412	1,050,993,556	1,815,723,968		286,263,144
1898	616,049,654	1,231,482,330	1,847,531,984		615,432,676
1899	697,148,489	1,227,023,302	1,924,171,791		529,874,813
1900	849,714,329	1,394,479,214	2,244,193,543		544,764,835
1901	823,171,165	1,487,764,991	2,310,937,156		664,592,826

The figures for the fiscal year 1902, while they will show a falling off in exports (owing to our short corn crop of last year and the great home consumption of manufactures) and an increase of imports, will compare favorably with recent years. Under the operation of the Dingley tariff we have become the leading export nation of the world, passing Great Britain, with her wonderful prestige of centuries. It will be seen that our balance of trade differs very much now from the years 1893 to 1897. In 1893 the balance was against us, and for the five years from 1893 to 1897, inclusive, the average was only $175,000,000, while during the past five years the average has been about $600,000,000, making a total favorable balance under the five years of the Dingley law of $3,000,000,000.

We are changing under this trade balance from a debtor nation to a creditor nation, if, indeed, we have not already done so. We have an immense freight bill to pay annually, large interest disbursements, and exchanges on account of tourists' expenses abroad, so that with much less than our favorable balance we would have to ship gold abroad in large quantities to pay our bill, as we have had to do in low-tariff times. It will be seen from the table that our exports are nearly double those of 1895. Nearly $1,000,000,000, or two-thirds, are agricultural products, which Europe must have regardless of tariffs, and yet it is in exports of manufacture that we have made the largest relative gain.

We are exporting double the amount of manufactured articles that we were under the Wilson-Gorman law, and we are gaining markets in every quarter of the globe for every product of our mills and factories, and still the free trader keeps up the cry for "free raw material," in order that we may capture the markets of the world, ignorant or forgetful of the fact that we have already 99 per cent free raw material for all that enters into exports of manufactures.

Right here I want to call attention to our great increase in imports, this increase consisting mostly of crude or partly manufactured articles which are consumed by our manufacturers in turning out their finished product. Thus we see the perfect workings of the Dingley law in our exports and imports. It is safe to say that in another half decade, if our present tariff law is undisturbed, our exports will exceed $2,000,000,000 annually, which, while but a small amount as compared with our domestic trade, is still a remarkable exhibition of American progress.

GOLD AND SILVER.

I now wish to present a table showing our imports and exports of gold and silver for recent years. Trade balances are not settled wholly in gold. There are credits and exchanges to be considered, but I notice that our gold generally goes abroad in low-tariff times and comes back in protection times. Here are the figures under the Wilson-Gorman law and the Dingley law:

Total value of imports and exports of gold and silver coin and bullion, 1893-1901.

GOLD.

Year ending June 30—	Imports.	Exports.	Excess of—	
			Imports over exports.	Exports over imports.
1893	$21,174,381	$108,680,844		$87,506,463
1894	72,449,119	76,978,061		4,528,942
1895	36,384,760	66,468,481		30,083,721
1896	33,525,065	112,409,947		78,884,882
1897	85,014,780	40,361,580	$44,653,200	
1898	120,391,674	15,406,391	104,985,283	
1899	88,954,603	37,522,086	51,432,517	
1900	44,573,184	48,236,754		3,663,575
1901	66,051,187	53,185,177	12,866,010	

SILVER.

Year ending June 30—	Imports.	Exports.	Excess of exports over imports.
1893	$23,193,252	$40,737,319	$17,544,067
1894	13,286,552	50,451,265	37,164,713
1895	20,211,179	47,295,286	27,084,107
1896	28,277,186	60,541,670	31,764,484
1897	30,533,227	61,946,638	31,413,411
1898	30,927,781	55,105,239	24,177,458
1899	30,675,056	56,319,055	25,643,999
1900	35,256,302	56,712,275	21,455,973
1901	36,386,521	64,285,180	27,898,659

Silver is a commodity, and the excess of exports should be added to our trade balance, but gold is the commodity or money used in settlement. It will be seen that in the four years 1893, 1894, 1895, and 1896 we exported over $200,000,000 more than we imported, while in the four years 1897, 1898, 1899, 1900 we imported over $200,000,000 in excess of the amount exported.

The gold holdings of the United States now aggregate $555,000,000, not only the largest amount of gold ever held by the Treasury, but for the first time the outstanding gold certificates exceed in volume the amount of United States notes or greenbacks. No longer ago than 1899 the outstanding certificates amounted to only $34,500,000; now they amount to $347,000,000. In 1892 the circulation of gold certificates rose to $171,700,000, but during the free-trade panic the circulation fell to $70,000,000. Our $555,000,000 of gold is the largest amount possessed by any government in the world.

FAILURES.

With such phenomenal advances in all branches of business, with such a great amount of increased capital invested and concerns in operation, we should almost expect to find an increased number of failures, for suspensions and failures in business are as inevitable as sickness and death in the most healthful communities. But sickness and the death rate depend to a degree on sanitary and other conditions, and suspension and failures in business depend, it would seem by the figures I now present, on tariff conditions.

I take the following statistics of failures from Dun's Review:

Failures.

Calendar year.	Number.	Liabilities.
1892	10,344	$114,044,167
1893	15,242	346,779,889
1894	13,885	172,992,856
1895	13,197	173,196,060
1896	15 088	226,096,834
1897	13,351	154,332,071
1898	12,186	130,662,899
1899	9,337	90,879,889
1900	10,774	138,495,673
1901	11,002	113,092,376

These I assert are most significant figures. In 1892 the number and amount of liabilities were normal. In 1893, with the assurance of some kind of a free-trade law, came panic and ruin. The figures tell the story. In 1894 and 1895 the figures, while a decrease from 1893, were still abnormal, but 1896 was another bad year with nearly as many failures as in 1893, though with somewhat lesser liabilities. But what a change with the coming of protection. Look at the figures for the past five years. The amount of liabilities for the four years 1893, 1894, 1895, and 1896 average $229,000,000 a year, while for the four years 1898, 1899, 1900, and 1901 they average only half as much in spite of the enormous increase in business enterprises. No argument I could make would teach a greater lesson than the figures themselves.

AVERAGE RATE OF DUTY.

I now want to call attention, Mr. President, to the free-trade assertion that the rates of duty under the Dingley law are exorbitant.

The average ad valorem rate of duty is not determined by legislation, but by actual imports. The ignorant free-trader, in a spasm of assumed indignation, may declare that Dingley duties are the highest ever imposed, but he either does not know what he is talking about or he is deliberately trying to deceive.

It will be both interesting and instructive to see just what the rate has been under the Dingley law, and compare it with the rate of preceding laws.

For the four years ending June 30, 1901, the average ad valorem rates of duty on all imports were: 1898, 24.77; 1899, 29.48; 1900, 27.62, and 1901, 28.91 per cent. For 1902 the rate will be about 29 per cent. So we may safely average the rate under the five years at 28 per cent. This compares with about 21 per cent under the three years of the Wilson-Gorman Act. But how does it compare with former protective years? From 1870 to 1890 the rates were as follows:

1870	42.23	1880	29.07
1871	38.94	1881	29.75
1872	37	1882	30.11
1873	26.95	1883	29.92
1874	26.88	1884	28.44
1875	28.20	1885	30.59
1876	30.19	1886	30.13
1877	26.68	1887	31.02
1878	27.13	1888	29.99
1879	28.97	1889	29.50

This is an average of over 31 per cent for the twenty years. This, then, disproves the statement that Dingley rates are excessive. In only four years out of the twenty—from 1870 to 1890—were they so low as the average Dingley rate. This proves that tariff framing is a science, and that the Dingley tariff is not only a wise and equitable measure, but a scientific measure.

Again, as regards duties collected. I have already shown that as a revenue measure the Dingley law is giving us a large and ample amount of duty. But how does it average among the people? The per capita duty collected under the Dingley law has been as follows: 1898, $1.99; 1899, $2.72; 1900, $3.01; 1901, $3.06, and for 1902 it will be about $3.10. So, leaving out the first year, when the amount of duty was low and abnormal, we have an average per capita annual duty of less than $3.

Now, taking the years from 1870 to 1890, we find the per capita duty to be—

1870	$4.96	1880	$3.64
1871	5.12	1881	3.78
1872	5.23	1882	4.12
1873	4.44	1883	3.92
1874	3.75	1884	3.47
1875	3.51	1885	3.17
1876	3.22	1886	3.30
1877	2.77	1887	3.65
1878	2.67	1888	3.60
1879	2.73	1889	3.60

or an average duty of $3.73 per capita. And so another "burden of the people" is dissipated.

Even if the entire tariff tax were borne by consumers, which is by no means the case, we are each taxed only $3 a year (and actually not more than $2) for the blessings and benefits of Dingleyism.

The proportion of the free imports is nearly 50 per cent, and was over 50 per cent under the McKinley law, while from 1870 to 1890 it was only about 30 per cent. So, whether we consider the Dingley law from the standpoint of duty rate, per capita duty, or per cent of free imports, we find it to be the most just and equitable measure ever framed.

SOME PER CAPITA FIGURES.

To show that our great progress under the Dingley law has far outstripped our rate of increase in population, I will present a few per capita statistics, as an example of all, from 1896 to and including 1901:

Per capita statistics.

Year.	Population.	Amount of money in United States July 1.	Money in circulation July 1.	Debt, less in Treasury, July 1.	Interest on public debt year ending June 30.	Exports.	Post-office.	
							Revenue.	Expenditures.
1896	70,254,000	$25.62	$21.44	$13.60	$0.49	$12.29	$1.17	$1.34
1897	71,592,000	26.62	22.91	13.78	.48	14.42	1.15	1.34
1898	72,947,000	28.43	25.19	14.08	.47	16.59	1.22	1.39
1899	74,318,000	29.47	25.62	15.55	.54	16.20	1.28	1.41
1900	76,303,387	30.66	26.93	14.52	.44	17.96	1.34	1.46
1901	77,647,000	31.98	28.02	13.45	.38	18.81	1.44	1.49

PRICES.

Mr. President, I have shown many of the blessings, benefits, and advantages of living under the Dingley tariff. Are there any disadvantages? At once I hear the freetrader cry, "How about prices? Isn't it costing us more to live than we can make in increased earnings?" I answer, No! The savings banks deposits of $200,000,000 a year answer, No! The $400,000,000 annual premiums on life insurance answer, No! The mortgages released answer, No! The installments paid on the home and the furniture answer, No! The luxuries enjoyed answer, No! And all these come out of the surplus after the necessaries have been provided.

When we have low prices and low wages and no wages, there is no surplus and there are no luxuries. It is hard enough scraping to get the necessaries. But prices of many things have risen while other prices have fallen. And right here let me emphasize the fact that the prices of the greatest and most extensive commodity in the land, a commodity that comprises 90 per cent of all production—American labor—has increased since the Dingley law went into operation fully 50 per cent.

I have shown that the railroad employees of the country are getting 50 per cent more pay than in 1895-96. I have shown that the workingmen of all classes in Massachusetts are getting from 40 to 50 per cent more earnings than in 1896. I have shown that the farmers of the country are getting from 50 to 100 per cent more for their products than in 1896. And so I believe that the income of the people of the United States is to-day much more than 50 per cent greater than it was in the summer of 1896 when one of the framers of the Wilson-Gorman law, under which we were then trying to exist, was asking the people to make him President instead of William McKinley.

No; we are not living in cheap times. Protection does not breed cheapness. It tends to make prices equitable to both producer and consumer, but the millennium has not yet come, and so we find occasional wrong and injustice, and sometimes the price of a single commodity will be exorbitant for a period till the abnormal conditions are adjusted by the inexorable process of demand, supply, and competition. Sometimes it is one thing, sometimes it is another. It may be coal or meat, or it may be ice or eggs, but whatever the commodity or the cause it is only temporary.

But suppose steel rails are $5 or $10 a ton more than they were in 1896. Is the railroad passenger paying any more for his fare? Is the freight shipper paying any more for carrying his products? No; they are paying less, and the dividends to stockholders are greater.

Protection is the great leveler; but it levels up, not down. I now want to present the following from Dun's Review, an absolutely impartial source. It explains itself fully:

PRICES PROPORTIONED TO CONSUMPTION.

In the following table the course of prices of commodities is shown, with due allowance for the relative importance of each. Quotations of all the necessaries of life are taken, including whisky and tobacco, and in each case the price is multiplied by the annual per capita consumption, which precludes any one commodity having more than its proper weight in the aggregate. For example, the price of a bushel of wheat is multiplied by 5.55, representing the annual per capita consumption of 4¼ bushels for food, and the remainder as allowance for seed. The price per pound of coffee is taken 9 times, of cheese 2.3, of chemicals only fractions of an ounce in some cases.

Thus, wide fluctuations in the price of an article little used do not materially affect the index, but changes in the great staples have a large influence in advancing or depressing the total. For convenience of comparison and economy of space the prices are grouped in seven classes: Breadstuffs include many quotations of wheat, corn, oats, rye, barley, beans, and pease; meats include live hogs, beef, sheep, and many provisions, lard, tallow, etc.; dairy and garden products embrace eggs, vegetables, fruits, milk, butter, cheese, etc.; other food includes fish, liquors, condiments, sugar, rice, tobacco, etc.; clothing covers the raw material of each industry, and many quotations of woolen, cotton, silk, and rubber goods, as well as hides, leather, boots, and shoes; metals include various quotations of pig iron, and partially manufactured and finished products, as well as the minor metals, tin, lead, copper, etc., and coal and petroleum; miscellaneous includes many grades of hard and soft lumber, lath, brick, lime, glass, turpentine, hemp, linseed oil, paints, fertilizers, and drugs.

The chief advance in the general level as compared with the low-record prices of July 1, 1897, will be found in the first three classes. Short crops due to drought and the seasonable advance in eggs and similar articles make the present position of food stuffs abnormal. The third decimal is given for accuracy of comparison, thus $101.587 representing $101.58 and seven-tenths of a cent. This figure does not purport to show the exact average annual cost of living on January 1, 1902, because wholesale prices are taken and all luxuries omitted. Its economic value is in showing the percentage of advance or decline from month to month.

Index figure of prices, January 1.

Year.	Breadstuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
1888	$18.565	$8.920	$15.030	$10.340	$15.140	$17.330	$14.577	$99.902
1889	18.195	8.705	14.670	10.480	15.170	17.360	14.496	99.076
1890	13.765	7.620	12.675	9.935	14.845	16.240	15.111	90.191
1891	19.725	7.810	16.270	10.215	14.135	15.875	14.217	98.247
1892	17.700	7.895	13.180	9.185	13.430	14.665	13.767	89.822
1893	15.750	9.315	15.290	9.595	13.900	15.985	14.320	94.155
1894	13.530	8.655	13.945	8.945	12.880	14.565	13.512	86.032
1895	14.311	8.359	12.196	8.607	11.886	12.026	13.607	80.992
1896	11.380	7.540	10.969	8.898	12.787	12.803	13.403	77.780
1897	11.729	7.327	10.456	8.170	12.407	13.014	12.399	75.502
1898	13.511	7.336	12.371	8.312	14.654	11.572	12.184	79.940
1899	13.816	7.520	11.458	9.096	14.150	11.843	12.540	80.423
1900	13.254	7.258	13.702	9.200	17.484	18.085	16.312	95.295
1901	14.486	8.407	15.556	9.504	16.024	15.810	15.881	95.668
1902	20.002	9.670	15.248	8.952	15.547	15.375	16.793	101.587

It will be seen that the total is but little above that of 1888 and 1889. Curiously, too, the index figure for 1892 is less than for any of the four preceding years and lower than the year following, and yet in 1892 we elected a low-tariff Administration in all three branches of the Government because of the false cry of high prices. In this connection I want to quote from an address delivered by T. Z. Cowles, editor of the American Economist, before the Society of Political Inquiry at Morristown, N. J., April 11, 1902. And right here I want to acknowledge my indebtedness to the American Economist and the American Protective Tariff League for much of the information I have used in this speech.

Speaking of prices, Mr. Cowles said:

The American wage-earner is not finding very much fault. Zealous friends on the free-trade side are doing their utmost to convince him that he is being crucified for the benefit of the trusts, and that the cost of living has far exceeded any gain made in the shape of better wages, but they are not making very much headway in carrying that conviction to the mind of the wage-earner. In reply, he has only to point to the enormous increase of nearly 100 per cent in the last five years of deposits in the savings banks throughout the country, and to an equal increase of investments in building and loan associations. That certainly would not seem to indicate that the wage-earner was getting very greatly the worst of the situation.

One thing the wage-earner knows—that it is not so much the price of an article as the ability to pay the price that concerns him. If he can buy a suit of clothes for $4 and does not have the $4 in his pocket, the price is of very little consequence to him; but if the suit of clothes costs $5 and he now has $6 in his pocket, he can look upon the situation with perfect complacency. Statistics of the census covering the year 1900 show in every State of the Union thus far enumerated not only an increase in the general rate of wages, but a very much larger increase in the gross sum of wages paid out. That is to say, while the per capita rate of wages has undoubtedly increased in the period of prosperity brought about by the protection, the gross sum of employment has enormously increased. That is what counts.

NATIONAL FINANCES.

I have shown what protection has done for agriculture and manufactures, for our railroads and our foreign commerce. I now want to note its effect upon our national debt and finances. From the last report of the Secretary of the Treasury I quote the following:

On April 1, 1898, the interest-bearing debt of the United States was $847,-366,680. Incidental to the war with Spain the debt was increased, so that on November 1, 1899, its highest point, the amount stood at $1,046,049,020. Two years later, on November 15, 1901, the debt stood at $954,027,150, showing a reduction of $92,021,870.

This statement covers only the face amount of the debt. Interest is as much a part of the debt as is the principal, and this feature of the debt has been anticipated and paid to an amount nearly as great as has been the reduction of the principal. By the application of $43,582,004 of the public moneys, interest to the amount of $54,548,424, which would otherwise have been a charge against the Treasury during the next seven years, has been paid, so that, broadly speaking, the public debt within two years has been reduced by the sum of $146,570,294.

But this by no means tells the whole story. The cash fund in the Treasury has risen from $226,166,944 on April 1, 1898, to over $350,000,000 to-day. In a single year the annual interest charge has been reduced from $40,347,884 to $28,471,228, and yet Mr. Cleveland, in times of peace, but also of low tariff, had to borrow $262,000,000, and the bonds he sold bore 4 and 5 per cent interest. During the past year or two much of our debt has been refunded on a 2 per cent basis, and to-day Uncle Sam's credit is such that he could borrow a billion at 2 per cent.

But Uncle Sam is not borrowing in protection times. He is buying his own bonds, canceling his debt, and reducing his interest charges. He has $200,000,000 in the Treasury over and above the $150,000,000 gold reserve legally required. There is in circulation $2,246,300,542, or $28.72 per capita, against a circulation of $1,594,195,479 in 1895, and a per capita circulation of $21.44 in 1896. There is an estimated surplus of $80,000,000 for the fiscal year 1902 in spite of a large reduction in taxation.

And what of the people of the United States? The Secretary notes that they have a credit in the national banks of over $3,000,-000,000, and in the savings banks there are deposits of nearly $3,000,000,000 more. Remarkable figures these. Do you want any greater proof that low tariff is a debt maker and protection a debt payer?

ASTOUNDING STATISTICS.

American financial and commercial statistics are to-day the wonder of the world. Our wealth of $100,000,000,000, or $1,250 per capita; our net debt of less than $1,000,000,000, or only $12.50 per capita; our savings bank and loan association deposits of $3,000,-000,000; our national bank deposits of $3,000,000,000 more; our life insurance of $13,000,000,000; our annual fire insurance risks of $20,000,000,000; our bank clearings of $100,000,000,000; our manufactures of $15,000,000,000; our agricultural returns of $8,000,000,000; our favorable balance of trade of $600,000,000; our Government receipts of $700,000,000 and expenditures of $600,000,-000; our Treasury fund of $350,000,000; our more than $2,000,-000,000 of money in circulation; our $150,000,000 (coining value) product of gold and silver; our $1,500,000,000 railroad earnings, and, greatest of all, our actual turnover in commerce, trade, transportation, and general business of more than $30,000,000,000—these are figures to astonish the world.

We are the only nation of importance paying off our debt. We could sell $1,000,000,000 of bonds at 2 per cent in twenty-four hours. Money is accumulating in our National Treasury faster than we can use it. We are paying $140,000,000 a year in pensions. Since 1860 we have disbursed nearly $3,000,000,000 in this way; have paid off nearly $2,000,000,000 of debt, besides paying $2,750,000,000 of interest.

These are remarkable figures for one of the youngest nations of the earth. What they will be in another century or even in another generation can not even be estimated. With a rehabilitated American merchant marine, an isthmian canal, continued protection, peace, and prosperity the future must hold even more wonderful results for the United States than any that have transpired.

HOW WE COMPARE WITH THE REST OF THE WORLD.

Our progress under the Dingley tariff has been such that we no longer compare the United States with other nations, but with all the rest of the world combined. With less than 5 per cent of the population and only 7 per cent of the area, we are, nevertheless, about equal industrially to half the remainder of mankind.

We equal or surpass all the rest of the world in corn, cotton, eggs, petroleum, leather products, copper, and forest products.

Of the following we produce two-thirds as much as the rest of the world: Coal, pig iron, steel, and three-fifths of the total food and agricultural products and manufactures.

We produce one-half as much as the rest of the world in silver, iron ore, fish; one-third as much in gold, wheat, oats, hay, butter, and cheese; one-fourth as much in hops and beer; one-fifth to one-tenth as much in barley and wool.

We consume, reckoned in value, twice as much corn as all the rest of the world combined, one-fifth as much wheat, one-third as much oats, one-third as much cotton, one-fifth as much wool, one-third as much sugar, one-half as much fish, nearly as much coffee, one-fourth as much tea, about three-fifths as much meat—all food and agricultural products.

We have one-third as much wealth as all the rest of the world, one-third as much gold, one-fifth as much silver, one-tenth as many sheep, one-third as many cows, as much forest area, two-thirds the railroad mileage, or, counting total track, about as much as all the rest of the world combined. We have twice as much life insurance in force, one-half as much savings-bank deposits, we spend two-thirds as much for education, we have one-fourth the spindles in operation, nearly one-fourth as much shipping, one-fourth as many exports, about one-tenth as much revenue and expenditures, and less than one-thirtieth as much debt.

Taking everything into consideration we produce and consume about half as much as the rest of the world combined. Remember, the comparison is not with the world, but with all the rest of the world besides ourselves.

There is not a much better index to a country's condition than the freight carried. According to the junior Senator from New York [Mr. DEPEW], who should be an unquestioned authority on railroad business, the freight carried on the railroads of the United States equals the freight carried on all the other railroads of the earth and by all the ocean shipping. To this should be added our immense lake and coast trade.

Ex-Speaker Reed estimated that the people of the United States, when our population was about 70,000,000, were equal as consumers—as a market for our own and the world's production—compared with the rest of the world, to 700,000,000. The same comparison seems to hold good to-day, and our 77,000,000 people are equal to 770,000,000, or one-half the rest of the world. That is, every man, woman, and child in the United States is equal to ten persons outside of the United States, particularly as consumers of our own and the world's products of agriculture, mining, and manufacture.

As regards power of production, Mulhall has shown that a farm hand in the United States does as much as two in the United Kingdom, three in Germany, five in Austria, and seven in Russia. The farm laborers of Europe do nine times the work to get double the result of the farm laborers in the United States. That is, it takes four and one-half Europeans to equal one American. Extend the comparison to Asia and Africa and we find that the average United States producer is equal to ten the world over, outside of our own country. This comparison is emphasized by our coal consumption and steam power, and finally by our products of manufacture.

We are to-day practically independent of the rest of the earth. In a few years we shall raise our own sugar and fibers, manufacture our own silk, and, in fact, we shall produce almost everything used by mankind.

The conclusion, then, is warranted that in another generation, if the present system of protection is continued, the people of the United States and Territories will equal or surpass in production, consumption, and wealth the peoples of the rest of the world combined.

THE FOREIGN AND HOME MARKET.

I quote the following from the American Economist showing the relative value of the foreign and home market:

Do the people who spend so much brain power in seeking means for the enlargement of our foreign trade ever stop to think what a prodigiously big thing they lose sight of when in search of an infinitely smaller thing? Do they realize that while our foreign trade in manufactured articles of domestic production was $433,851,756 in 1900, the total volume of our internal trade for that year was over $30,000,000,000? It was estimated three years ago that our commodities carried from one part of the country to another for sale at home were worth about $28,000,000,000 a year, which was thirteen times the value of our entire foreign trade, and that the citizens of this country buy $40 worth of home products for every dollar they expend for foreign commodities. The foreign trade of the United States, therefore, is of small importance in comparison with its home commerce.

According to the statistics of the Twelfth Census, the gross value of our manufactured products, which amounted in 1900 to over $13,000,000,000, fairly represented the volume of our internal trade in manufactured articles, exclusive of the retailing of the products of the manufacturers, which represents transactions involving an amount at least as great, and consists of the reselling of these products as they pass into the possession of the ultimate consumer. The total money volume of the wholesale and retail transactions in the manufactured products of the United States is unquestionably greater than the volume of international trade of all the principal countries of the world, which equals the sum of $20,005,884,354, exports and imports added together. This does not include our immense home trade in raw materials that are not manufactured. It is likely that the volume of our total internal trade in 1900 was over $30,000,000,000.

The value of our internal commerce in proportion to population is greater than that of any other country, because Americans spend more for food, clothing, rent, and many comforts of life than any other people. At the end of the last century the wealth of the United States, estimated at $94,000,000,000, was equal to the combined wealth of Russia, Italy, and Spain, was double that of Germany, and nearly double that of France and a fourth larger than that of the United Kingdom.

The point of the whole matter is the comparison between the value of our own trade in our own great market, and the value of our trade with all the rest of the world, viz: Total internal trade for the year 1900, $30,000,000,000; total foreign trade for the year 1900, $2,201,282,823—more than 14 to 1. Is it not about time that the domestic producer left off worrying about the $1, which he already has, and can always keep—that is to say, the foreign trade that can not grow less, for we have that to sell which the world must have and will continue to buy—and devote his attention more assiduously to the $14, which, as experience shows, may easily grow less as the result of economic blundering, but must inevitably increase if we keep to the safe line of looking after the great home market. In short, can we afford to risk the certainty of a trade worth $30,000,000,000 in the doubtful scramble for a trade worth less than one-fourteenth of that amount? The study should be how not to decrease the purchasing power of a population that every year consumes $30,000,000,000 of domestic products.

Our sales to the world outside of ourselves amount to, say, $1,500,000,000; our sales at home amount to $30,000,000,000. That is the relative value to us of the world's markets and our home market. There are freights, commissions, and profits to be considered in foreign sales, while in home sales all transactions add to the income of the people.

EDUCATION.

Mr. President, there have been more scholars in our public and private schools and colleges the past year than ever before in our history. I mean not only in the aggregate, but relatively to population. There was hardly a city in the country whose school facilities were adequate last fall to accommodate the scholars who sought admission. Many of our private schools have been compelled to turn away applicants, and the entering classes of our colleges showed record-breaking registry.

This was not the condition in 1895–96. What has brought about the change? In the first place, it is not necessary for so many children to work in the mill. In the second place, the prosperous man need not keep the children from school for lack of clothes and shoes. Again, it costs money to go through college and technical schools. This all brings up the question of so-called child labor. "Is it not on the increase?" my free-trade friend will ask. I answer that the census report shows an increase in some sections of the South and West, but large decreases in other sections. The very increased demand for child labor when our adults are fully employed is in itself an indication of increased prosperity. While child labor should undoubtedly be regulated by law, it is nevertheless a blessing when the father is dead or disabled that the boys and girls can get good wages and contribute to the support of the family.

But the conditions are so immeasurably improved over the years of the Wilson-Gorman tariff that I can not refrain from calling your attention to the fact. We have the best system of public schools in the world. We have the best paid teachers, the most comfortable structures, and an army of scholars who are reaping benefits far greater than ever before in our history and far greater than can be found in any other country, and as I have already shown we are expending for education 40 per cent as much as all the other countries of the world combined.

THE AGE OF LUXURY.

In a recent number of Leslie's Weekly Francis Curtis has an article under the caption "The Age of Luxury." The term is most fit and the picture so true that I want to quote from the article as follows:

We have had our iron age and our age of steel. Cotton has been king. Corn and wheat have both sat on the throne. Time was when there was "nothing like leather," and even the American hog has ruled abroad as well as at home. Electricity has worn the crown, and one after another of our productions has for a time held sway, giving place to some industrial rival, till, instead of any one being supreme, we are foremost with many.

So at this beginning of a new century we live in an age as foreign to that of our fathers as steam and electricity compare with sail and candle. Well may we call it the age of luxury.

It would be difficult indeed to define luxury as found in the United States, or to draw the line between luxury and necessity. Many of the things which we have become accustomed to class among the necessaries of life are thought of abroad as luxuries or are not enjoyed at all. We might (but think we can not) do without a thousand and one comforts and conveniences which our fathers would have considered extravagant and unnecessary. In our homes, at our offices, on our travels, at every turn of life, we enjoy luxuries innumerable.

Instead of the old-time one weekly paper, we now have our morning and evening daily, our illustrated, religious, and other weeklies, and one or more monthly magazines. We have our luxuries in food and our luxuries in dress. Even the dolls of our children are better dressed and have more "things" than did our grandparents themselves when children. Our homes are filled with luxurious furniture and bric-a-brac, our tables are set with costly china and glassware, and our rooms are hung with the rarest pictures and curtains. Our offices are equipped with easy chairs and rugs, with open bookcases and desks, with telephone and mail-chutes. Our railroad, parlor, sleeping, and dining cars are luxurious in every detail, and our hotels are palaces from entrance to roof.

Milady's gowns and wraps and lingerie and gloves and handkerchiefs are fit for any queen, and every daughter is a princess in wealth of apparel and comforts. In amusement there is no limit to luxury. Millions and hundreds of millions are annually spent at the theater, on yachting, golf, football, receptions, dinners, teas, and balls. We have our pianos, our phonographs, our automobiles, our bicycles, and our carriages for adult, baby, and doll. We have our sealskins and furs, our silks and satins and fine linen, our feathers and boas, our velvets and laces, our paintings and roses, our hand-painted ware and ornaments, our diamonds and rubies and pearls, our watches and clocks, our sweets and perfumes, and so on ad infinitum.

We spend over a billion a year in drink, outside of tea and coffee; we spend over half a billion in tobacco and a quarter of a billion in confectionery, fruit, and flowers. It is estimated that our present annual bill for luxuries exceeds $10,000,000,000. And only half a century ago our fathers would have been amazed at even the thought of such expenditures and would have termed it folly.

And yet the making and production of these luxuries form the basis of much of our prosperity, and in turn it is our prosperity that enables us to enjoy such comfort and luxury. We would hardly want to go back to the days of Jefferson and Hamilton and Franklin, or even to the days of Lincoln and Seward. So here is to the age of luxury, and may it be but a beginning of a still higher plane of moral living and a still greater enjoyment of the noblest things of life.

LOOKING SOUTHWARD.

If there still remains any section of our common country whose people cling to the traditions of the past and decline to recognize the fact and the logic of the present, let us hope that they will turn their faces to the great light of to-day, the light of splendid progress and prosperity. They should forget and remember—forget that they were for a brief period alienated from sympathy and good will toward neighbors and friends, and remember that all past differences have been wiped off the record and that they now stand with all the people upon the exalted ground of mutual patriotism.

They may well forget that they have been free traders for nearly three-quarters of a century, and remember that their great apostle in economic doctrine abandoned protection only because he believed that the control of the world's supply of a great agricultural staple placed the producers of that staple in the enviable position of being able to sell in the dearest and buy in the cheapest of markets with advantage and profit. He did not foresee the tremendous possibilities connected with an industrial development that under protection was to convert this raw product into finished material at home, saving ocean transportation charges across and back, and involving the investment of home capital, the employment of home labor, and the payment of home wages. He could not foresee the tremendous unearthing of buried treasure in the iron mines that under the Dingley tariff was to follow the establishment of a gigantic producing industry upon the firm and enduring basis that only protection could provide.

None of these tremendous possibilities, now accomplished facts, were present in the mind of Calhoun when he shifted from protection to free trade, otherwise he would not have shifted. So I say to our friends and neighbors to the southward, "Forget that you were free traders, and try to remember what protection has done, is doing, and stands to do for you." Signs are not wanting that they are forgetting and that they are remembering. A little time may be needed to complete the process of reversion, but I am thankful to believe that they are on the right track and not long hence will plant their feet alongside of ours on the solid rock of protection to American labor and industry.

CONCLUSION.

Mr. President, I have presented briefly many of the material benefits which we as a nation and as a people have derived from the operation of the Dingley tariff. But I have by no means told the whole story. We can estimate the production and consumption of the necessaries and luxuries of life, but the comforts and contentment and happiness of the American home is inestimable. How can we calculate the joy of the farmer or mechanic in being able to give his sons a college education? How can we calculate the pleasure of taking home the latest book; of taking the wife or sweetheart to the play or concert; of buying

the piano for the daughter; of filling the vase with flowers; of taking home the candy and toys for the little ones? Why, it is Christmas the year round in millions of American homes. The birthdays are joyful days. The summer trips to the mountains and seashore and country in vacation time are not to be measured by dollars and cents in the happiness and health they give to millions of wives and children.

No, Mr. President, there is no computing the blessings and benefits of protection. We can not measure happiness by the yard or pound or quart or dollar's worth, but we can produce it and enhance it and continue it by continuing protection and prosperity. I met an old farmer recently, a sterling old man who voted for Franklin Pierce and has voted for every Democratic candidate for President and Congress since. I asked him, "Well, how is the farm?" Without answering, he said, "Senator, I want to tell you something. I am going to vote the Republican ticket next fall and in 1904 and as long as I live." "Why, how is that?" I asked. He replied: "Simply because I am tired of voting against prosperity."

There is the whole thing in a nut shell. Not only the truck farmer of New England, but the wheat grower of Minnesota, the corn grower of Kansas, the sugar grower of Louisiana, the cotton planter of Georgia, back to the wool grower of Ohio and the tobacco planter of Virginia and Connecticut, way to the fruit grower of California—the capitalist, the millworker, the railroad hand, the merchant and clerk, the professional man—every one, from the most elevated position to the humblest—must vote for or against prosperity.

And right here let me quote again from Mr. Cowles's address:

A wise wag once said in response to the toast, "Here's to your prosperity. May you stand it like a man." "That's a better sentiment than you think it is," said he. "It takes a clever man to stand prosperity. Any fool can stand adversity; he has to."

Our friends on the other side are looking for an issue. They need not worry, the issue is looking for them. Prosperity is the issue, and all other questions are secondary. The American standard of living, American manhood and American homes are but the resultants of Republican legislation, the sequences of a protective tariff which brought to us and will continue to give us an unprecedented age of luxury, an unparalleled era of prosperity.

REDEMPTION OF CERTAIN INTERNAL-REVENUE STAMPS.

Mr. ALDRICH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendments numbered 1, 2, 3, and 4, and agree to the same with an amendment as follows:

Strike out said Senate amendments and all of said bill (H. R. 6570) after line 6, page 1, and insert in lieu thereof the following:

"Excepting documentary and proprietary stamps issued under the act of June 13, 1898, which stamps may be redeemed as hereinbefore authorized, upon presentation prior to the 1st day of July, 1904" so that said proviso shall read as follows: "*Provided further*, That no claim for the redemption of or allowance for stamps shall be allowed unless presented within two years after the purchase of said stamps from the Government, excepting documentary and proprietary stamps issued under the act of June 13, 1898, which stamps may be redeemed as hereinbefore authorized, upon presentation prior to the 1st day of July, 1904."

NELSON W. ALDRICH,
O. H. PLATT,
H. M. TELLER,
Managers on the part of the Senate.
SERENO E. PAYNE,
JOHN DALZELL,
JAMES D. RICHARDSON,
Managers on the part of the House.

The report was agreed to.

BILLS PASSED OVER.

The PRESIDENT pro tempore. The Secretary will state the first bill on the Calendar under Rule VIII.

The bill (S. 1347) for the proper labeling of wine purporting to be champagne was announced as the first bill on the Calendar.

Mr. ALDRICH. Let that go over.

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

The bill (S. 3342) for preventing the adulteration, misbranding, and imitations of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes, was announced as next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. The bill goes over. These bills, when objection is made, will remain on the Calendar, retaining their place, the Chair understands.

PERSONAL TAXES IN THE DISTRICT OF COLUMBIA.

The bill (S. 4861) to regulate the assessment and collection of personal taxes in the District of Columbia was announced as next in order.

Mr. ALDRICH. Let that go over.

Mr. PLATT of Connecticut. Is not that the bill which has been incorporated in the District of Columbia appropriation bill?

Mr. ALDRICH. Yes.

Mr. PLATT of Connecticut. Why ought it not to go off the Calendar?

Mr. ALDRICH. I do not see any reason why it should not, although I dislike to make that suggestion.

Mr. PLATT of Connecticut. The chairman of the committee is not here. The Senator from New Hampshire [Mr. GALLINGER] is here.

Mr. GALLINGER. That bill might go from the Calendar.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

ORDER OF BUSINESS.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (H. R. 12056) granting an increase of pension to Warren C. Plummer.

Mr. ALDRICH. We are proceeding under a unanimous-consent agreement.

The PRESIDENT pro tempore. The Senate is proceeding under a unanimous-consent agreement.

Mr. McCUMBER. Is there any objection to this bill?

Mr. ALDRICH. No; but we are taking up the bills in their order on the Calendar.

Mr. McCUMBER. I should like to call up this bill to-day if there is no objection to it.

The PRESIDENT pro tempore. It is very likely that it will be reached on the Calendar.

Mr. McCUMBER. It is pretty well along.

ACCOUNTS OF ARMY OFFICERS.

The bill (S. 2341) to authorize the readjustment of the accounts of Army officers in certain cases, and for other purposes, was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has been read.

Mr. PLATT of Connecticut. Let it be read again.

The Secretary again read the bill.

The PRESIDENT pro tempore. The amendments of the Committee on Claims have been agreed to.

Mr. PLATT of Connecticut. Is the report a long one?

The PRESIDENT pro tempore. It is pretty long.

Mr. PLATT of Connecticut. I will not ask to have it read if it is long.

The PRESIDENT pro tempore. If there be no further amendments as in Committee of the Whole the bill will be reported to the Senate.

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.

BILLS PASSED OVER.

The bill (S. 3310) to amend section 1754 of the Revised Statutes of the United States relating to the preference in civil appointments of ex Army and Navy officers was next in order on the Calendar.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. LODGE] desired to be present when the bill was considered.

Mr. ALDRICH. Let it go over.

Mr. KEAN. What is the bill?

The bill was again read by title.

Mr. KEAN. I object.

The PRESIDENT pro tempore. The bill will go over.

Mr. PETTUS. I ask leave to have a bill considered.

The PRESIDENT pro tempore. The unanimous agreement this morning was that the Calendar of unobjected cases should be proceeded with the entire remainder of the day.

The bill (S. 362) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in the insurrectionary districts within the United States, and acts amendatory thereof, was announced as next in order on the Calendar.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. Objection is made, and it will go over.

PUBLIC LANDS AND BUILDINGS IN PORTO RICO.

Mr. FORAKER. I ask that the bill (H. R. 14244) authorizing the President to reserve public lands and buildings in the island of Porto Rico for public uses, and granting other public lands and buildings to the government of Porto Rico, be reprinted as it passed the Senate yesterday.

The PRESIDENT pro tempore. Without objection, the order is made.

PATENT SPECIFICATIONS AND DRAWINGS.

The joint resolution (H. J. Res. 103) relative to the disposition of patent specifications and drawings in the western district of Pennsylvania was considered as in Committee of the Whole.

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

BILLS PASSED OVER.

The bill (S. 4782) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G. Landis, administrator of David B. Landis, deceased, was next in order on the Calendar.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. It goes over without prejudice.

The bill (S. 2869) for the relief of Abram G. Hoyt was next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. The bill will go over.

The bill (S. 3280) for the relief of Curry County, State of Oregon, was next in order on the Calendar.

Mr. GALLINGER. Let that go over.

The PRESIDENT pro tempore. The bill goes over without prejudice.

The bill (S. 4832) for the relief of Col. H. B. Freeman was announced as next in order.

Mr. SCOTT. Let that go over.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

The bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve was next in order.

The PRESIDENT pro tempore. This bill goes over. It was vetoed by the President.

The joint resolution (S. R. 211) relative to calling of Maj. Cornelius Gardener as a witness as to conditions in the Philippine Islands was next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. Objection is made, and the joint resolution goes over.

DISTRICT OF COLUMBIA TAXES.

The bill (S. 4986) to amend an act entitled "An act to receive arrearages of taxes due District of Columbia to July 1, 1900, at 6 per cent per annum, in lieu of penalties and costs," approved February 15, 1902, was next in order, and was read.

Mr. SCOTT. Let that go over.

Mr. GALLINGER. I will say to the Senator that this is a District of Columbia bill. The District Committee has no day. It will take but a moment to pass the bill. I hope the Senator will not object.

Mr. SCOTT. It is a Senate bill and surely will not get through the House.

Mr. GALLINGER. It may.

Mr. SCOTT. I withdraw my objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The amendments of the committee were, in line 4, after the word "words," to insert "and;" in the same line, after the word "water-main," to insert "taxes;" in same line, to strike out "special improvement" and insert "special;" and in line 5, after the word "assessments," to insert "levied prior to July 1, 1899;" so as to make the bill read:

Be it enacted, etc., That after the word "ninety-nine," in fifth line, be inserted the words "and water-main taxes and special assessments levied prior to July 1, 1899."

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.

STATUE OF COMMODORE SLOAT.

The bill (S. 4657) for the erection of a statue of Commodore John D. Sloat in the city of Monterey, Cal., was next in order, and was read.

Mr. KEAN. I should like to have my memory in regard to history refreshed on that case. I ask that the report may be read.

The Secretary proceeded to read the report submitted by Mr. WETMORE, from the Committee on the Library, May 8, 1902.

Mr. SCOTT. I object to the consideration of the bill.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

STOREKEEPER-GAUGER.

Mr. SPOONER. I ask leave to submit a report.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the report will be received.

Mr. SPOONER. I am instructed by the Committee on Finance, to whom was referred the bill (H. R. 12097) to amend the internal-revenue laws in regard to storekeepers and gaugers, to report it favorably without amendment, and I ask that it be considered at this time. It is a very short bill, it is recommended earnestly by the Secretary of the Treasury and the Commissioner of Internal Revenue, and it is important.

The Secretary read the bill, as follows:

Be it enacted, etc., That the internal-revenue officer holding the combined office of storekeeper and gauger shall hereafter be known and denominated as a storekeeper-gauger, and when performing the combined duties of storekeeper-gauger or when assigned by the Commissioner of Internal Revenue to perform the duties of a storekeeper only at any distillery or at any general or special bonded warehouse, he shall receive for his services the compensation of storekeeper only, but when assigned by the Commissioner of Internal Revenue to perform the duties of gauger only, under the internal-revenue laws, as provided by those laws, he shall receive only the compensation for his services and the traveling expenses which are allowed by law to United State gaugers.

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

Mr. WELLINGTON. Mr. President, I rise to a parliamentary inquiry regarding this bill. Would not its consideration be an infringement of the unanimous-consent agreement?

The PRESIDENT pro tempore. The Senator from Wisconsin asked unanimous consent to make a report and to have it considered.

Mr. SPOONER. If it takes any time, I will not press it.

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

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

BILLS PASSED OVER.

The bill (S. 3594) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations" was announced as next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 1969) to conserve the flood waters of Lake Tahoe, in the States of California and Nevada, and to regulate the overflow thereof, was announced as next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. It goes over without prejudice.

The bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose, was announced as next in order.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. The bill goes over without prejudice.

POTOMAC RIVER FISHING.

The bill (S. 5299) to amend sections 897 and 903 of subchapter 7 of chapter 19 of an act entitled "An act to establish a code of law for the District of Columbia" was read as next in order.

Mr. PLATT of Connecticut. I should like to have some explanation of what this bill means.

Mr. McCOMAS. I think the Chair will recognize that there are some very bad names for bass in the bill.

Mr. PLATT of Connecticut. The bill reads:

That no person shall catch or kill in the waters of the Potomac River or its tributaries within the District of Columbia any black bass (otherwise known as green bass and chub), crappie (otherwise known as calico bass and strawberry bass), between the 1st day of April and the 29th of May of each year——

That I understand—

nor have in possession or expose for sale any of said species of fish at any other time during the year except by angling——

Mr. ALDRICH. They are not to be caught in a seine.

Mr. GALLINGER. Not in nets.

Mr. McCOMAS. I think the Chair could enlighten us better than anyone.

Mr. PLATT of Connecticut (reading)—

nor catch nor kill any of the aforesaid species by what are known as out lines or trot lines, having a succession of hooks or devices.

Mr. ALDRICH. I think the bill had better go over.

The PRESIDENT pro tempore. The Senator from Rhode Island thinks that the bill had better go over, and the Chair concurs with him.

Mr. McCOMAS. Izaak Walton could not, two hundred years ago, have parsed that English.

The PRESIDENT pro tempore. The bill goes over.

JOHN HORNICK.

The bill (H. R. 8108) for the relief of John Hornick was considered as in Committee of the Whole. It recites that John Hornick served in the infantry service of the United States for nearly three years during the war of the rebellion, and was honorably discharged from such service, and proposes to relieve him from

any disability now or heretofore existing, since the date of his discharge, by reason of any defective naturalization, or by reason of not having been duly naturalized under the laws of the United States. It also authorizes him to prosecute, in the Court of Claims of the United States, Indian depredation claim numbered in that court 10389.

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

ASSIGNEE OF JOHN GAFFORD.

The bill (S. 1156) for the relief of John C. Ray, assignee of John Gafford, of Arkansas, was announced as next in order.

Mr. ALDRICH. Let that bill go over.

Mr. BERRY. I hope the Senator will not object to that bill. It is a claim which accrued before the war commenced, and has been due for all these years. There is no reason in the world why the bill should not pass.

Mr. ALDRICH. Most of these claims are very doubtful; but if the Senator knows anything about this particular claim I shall be glad to have him state it.

Mr. BERRY. I know all about it. There is no doubt about this claim, and the Committee on Post-Offices and Post-Roads unanimously reported it.

Mr. PLATT of Connecticut. Let the report be read, and then we can understand what the claim is.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. PENROSE May 15, 1902, as follows:

The Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1156) for the relief of John C. Ray, assignee of John Gafford, of Arkansas, having had the same under consideration, beg leave to make the following report and recommend the passage of the bill:

The facts in this case are fully set forth in the following letters from the Postmaster-General, under date of April 22, 1902, and from the Acting Auditor for the Post-Office Department, under date of April 23, 1902:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., April 22, 1902.

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, with inclosures, asking for an expression of opinion of this Department in regard to Senate bill 1156 for the relief of John C. Ray, assignee of John Gafford, of Arkansas, and, in reply, to state that the records of this Department show that there was a contract with John Gafford for carrying the mail on route No. 7956, from Hot Springs to Paris, Tex., 183 miles, one round trip a week, compensation $1,399 per annum, for the term from July 1, 1858, to June 30, 1862, and that under date of May 31, 1861, an order was issued by the Postmaster-General suspending service on said route from May 31, 1861.

As the information in regard to the settlements with the contractor for service performed under the contract could only be had from the records of the office of the Auditor for the Post-Office Department, I have referred your letter and inclosures to that officer with the request that he advise you in regard thereto.

Very respectfully,
H. C. PAYNE,
Postmaster-General.

Hon. BOIES PENROSE,
United States Senate.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR THE POST-OFFICE DEPARTMENT,
Washington, April 23, 1902.

SIR: In reply to your letter of the 18th instant, received by reference from the Postmaster-General, relative to Senate bill No. 1156, for the relief of John C. Ray, assignee of John Gafford, mail contractor in Arkansas during 1860 and 1861, I have the honor to inform you that the records of this office show that John Gafford had the contract for carrying the mail on route 7956, from Hot Springs, Ark., to Paris, Tex., from July 1, 1858, to June 30, 1862, and that there stands to his credit the sum of $853.25 for service from October 1, 1860, to May 31, 1861, on which date all mail service in the Southern States was discontinued. This balance was reported to the Secretary of the Treasury, for appropriation by Congress, on February 3, 1883, but no provision has been made for its payment.

The papers in the case are herewith returned. Many of this class of claims were paid by the Confederate States Government, but the Confederate records (mutilated), now in the custody of this office, do not show, so far as they go, that any payment was made to Mr. Gafford under his contract with the United States.

Respectfully,
H. ALLEN,
Acting Auditor.

Hon. BOIES PENROSE,
United States Senate.

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

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

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

Mr. PLATT of Connecticut. I should like to ask the Senator from Arkansas how this case differs from a great number of cases which must have been similarly situated, where the contractors for carrying the mail had earned something under their contracts, and their contracts were suspended at the time of the beginning of the war; in other words, is this a separate, individual, and exceptional case, or is it one of a great number of cases?

Mr. BERRY. Mr. President, I am not a member of the Committee on Post-Offices and Post-Roads, and was not present when the bill was considered. If there is any difference between this and a large number of other claims or some other claims of this character, I do not know what it is; but I know there are a number of claims for compensation where the services were rendered before the war began and where there is no evidence that anything was ever paid on them by the Confederate Government, and which claims ought to have been paid long ago. I will say to the Senator from Connecticut that since I have been here we have tried for years to get a general bill passed to pay claims of this character, but have not been able to do so. The Government owes the money for services rendered before the war and in no way connected with the war. I can not see any reason on earth why the Government should not make payment.

The bill was passed.

JAMES F. M'INDOE.

The bill (S. 5531) for the relief of James F. McIndoe was announced as next in order.

The PRESIDENT pro tempore. This bill was passed on the 23d instant, and a motion was made to reconsider the vote by which the bill was passed.

Mr. ALDRICH. Let that go over.

The PRESIDENT pro tempore. The motion to reconsider was made by the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. What is it?

The PRESIDENT pro tempore. The bill for the relief of James F. McIndoe.

Mr. ALDRICH. I object to it, anyhow.

The PRESIDENT pro tempore. Objection is made.

Mr. SPOONER. I have looked into that bill.

Mr. ALDRICH. I have objected to it.

Mr. SPOONER. But the bill passed, and I simply entered a motion to reconsider the vote by which it was passed.

Mr. ALDRICH. It is not in order now.

Mr. SPOONER. I ask leave to withdraw the motion to reconsider.

The PRESIDENT pro tempore. Is there objection?

Mr. ALDRICH. I object to present consideration.

Mr. SPOONER. The bill has been considered and passed. The Senator does not object to my withdrawing the motion.

The PRESIDENT pro tempore. The Chair hears no objection, and the motion to reconsider is withdrawn.

UNIVERSITY OF MONTANA.

The bill (S. 3953) granting additional lands adjacent to the site of the University of Montana was announced as next in order.

Mr. SCOTT. Let that bill go over.

The PRESIDENT pro tempore. The bill goes over.

LEGAL REPRESENTATIVES OF GEORGE W. CURTIS.

The bill (S. 2342) for the relief of the executrix of the estate of George W. Curtis, deceased, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, on page 1, line 4, after the words "pay to the," to strike out "executrix of the estate" and insert "legal representatives;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal representatives of George W. Curtis, late of Arizona Territory, deceased, for the benefit of said estate, $2,288.91, the amount due said Curtis for services rendered the United States in carrying out, as bondsman, the Army transportation contract of Isaac S. Randol, defaulting contractor, in contract No. 61220, for the fiscal year ending July 1, 1882.

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 for the relief of the legal representatives of George W. Curtis, deceased."

HENRY BASH.

The bill (S. 1468) for the relief of Henry Bash was considered as in Committee of the Whole. It proposes to pay to Henry Bash $1,260, that being the amount due him for office rent and expenses incurred by him while United States shipping commissioner at Port Townsend, Wash., from July 1, 1886, to October 1, 1891, being sixty-three months, at $20 per month.

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

CUSTIS PARKE UPSHUR.

The bill (S. 1668) for the relief of Custis Parke Upshur was considered as in Committee of the Whole. It proposes to pay to Custis Parke Upshur $787.82, that being the amount due him for office rent and expenses incurred by him while United States shipping commissioner at Astoria, Oreg., from July 1, 1886, to October 1, 1891, being for five years and three months, at $12.50 per month.

Mr. GALLINGER. Let the report be read in that case.

The PRESIDENT pro tempore. The report will be read.

Mr. MITCHELL. If the Senator from New Hampshire will

waive the reading of the report, I think I can explain the case to his satisfaction.

Mr. GALLINGER. I shall be very glad to hear the Senator.

Mr. MITCHELL. Custis Parke Upshur, the claimant in this case, was appointed a shipping commissioner at Astoria, Oreg., on the 1st day of July, 1884, under the provisions of the act of Congress of June 26, 1884, entitled, "An act to remove certain burdens of the American merchant marine and encourage the American foreign carrying trade, and for other purposes." He took the oath of office and entered upon the discharge of his duties as shipping commissioner on July 1, 1884, and continued in the office and discharged the duties thereof to and including January 5, 1895, at a compensation fixed by the Secretary of the Treasury. After the passage of the act of June 19, 1886, Mr. Upshur was paid for his services as shipping commissioner, but was not paid the office rent and incidental expenses incurred by him. He necessarily incurred expenses for office rent from July 1, 1886, to January 5, 1895.

He finally brought suit in the Court of Claims for the amount of $1,277.08. The case was heard by that court, and the court found in his favor for the sum of $489.16, but also found that there was a balance due him of $787.82, which was barred by the statute of limitations. The amount for which the court rendered judgment was paid, and this is for the balance.

The question as to the liability of the Government of the United States in such cases was decided by the Supreme Court in Reed *v.* The United States (167 U. S., 671). It is on all fours with a bill which was passed a few moments ago.

Mr. GALLINGER. I withdraw my request for the reading of the report.

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

LEGAL REPRESENTATIVE OF WILLIAM KENDALL.

The bill (S. 2924) for the relief of the legal representative of Maj. William Kendall was considered as in Committee of the Whole.

The bill was reported by the Committee on Claims with an amendment, in section 2, on page 2, line 4, after the word "exceed," to strike out "exclusive of interest;" so as to make the section read:

SEC. 2. That in all cases where the several amounts claimed were regularly entered on the original muster of descriptive rolls which accompanied the detachments from said fort, and were thus charged against the respective soldiers but were not transferred to the company rolls nor retained out of the soldier's pay and allowed to said William Kendall, deceased, the said amounts, not to exceed $2,000, shall be allowed and paid to the legal representative of said William Kendall, deceased, out of any moneys in the Treasury not otherwise appropriated.

Mr. PLATT of Connecticut. Why are those words "exclusive of interest" proposed to be stricken out? I do not know that I understand the full meaning of that amendment. If the operation of it is to allow interest, those words certainly ought to remain.

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. CLAPP], who reported the bill, does not seem to be present.

Mr. ALDRICH. Let the bill go over until he is present.

The PRESIDENT pro tempore. The bill goes over without prejudice.

PROTECTION OF FISH AND GAME IN INDIAN TERRITORY.

The bill (S. 2865) for the protection of fish and game in the Indian Territory was announced as next in order.

Mr. ALDRICH. The Senator from Kansas [Mr. HARRIS], who reported the bill, is not present, and so I think the bill had better go over.

Mr. QUARLES. I hope my good friend will not object to that bill. I stand sponsor for it.

Mr. ALDRICH. I withdraw the objection.

Mr. QUARLES. I wish to say that the entire committee have considered the bill and they regard it as a very necessary one.

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

That it shall be unlawful in the Indian Territory for any person or persons to take, wound, or kill, in any manner whatsoever, any wild buck, deer, or fawn, except during the months of November, December, and January of each year; and it shall be unlawful at any time to chase the same with dog or dogs.

SEC. 2. That it shall be unlawful in the Indian Territory for any person or persons to take, wound, or kill, in any manner whatsoever, any wild turkey, except during the months of November, December, January, and February of each year.

SEC. 3. That it shall be unlawful in the Indian Territory for any person or persons to take, wound, or kill, in any manner whatsoever, any prairie chicken or grouse, except during the months of September and October in each year.

SEC. 4. That it shall be unlawful in the Indian Territory for any person or persons to take, wound, or kill, in any manner whatsoever, or have in possession, any quail, except from November 15 to February 15 in each year.

SEC. 5. That it shall be unlawful for any person or corporation to ship or convey from the Indian Territory beyond its limits any fish or game whatsoever. It shall be unlawful for any railroad or express company or other common carrier to carry or transport out of said Territory any fish or game whatsoever: *Provided, however*, That this act shall not be held or construed to have repealed any provision of chapter 533, Thirty-first Statutes at Large, page 187, or to abridge the authority of the Secretary of Agriculture thereby conferred.

SEC. 6. That no person, company, or corporation, or the agent thereof, shall at any time catch, kill, or have in possession any bird or game animal in the Indian Territory, the taking, killing, or wounding of which is prohibited, with intent to ship the same from the Indian Territory.

SEC. 7. That it shall be unlawful for any person at any time to net or trap in the Indian Territory any quail, prairie chicken, grouse, or wild turkey.

SEC. 8. That it shall be unlawful to take or catch any fish in any of the rivers, streams, lakes, or ponds in the Indian Territory with nets or seines, except to catch and take minnows for bait fish.

SEC. 9. That it shall be unlawful for any person, with intent to kill, maim, or paralyze any fish or other water animal, to cast, drop, or otherwise deposit in any river, creek, lake, or pond, or in any other stream or body of water within the Indian Territory, any explosive material or substance, or any intoxicating or stupefying liquid, drug, vegetable, or fruit, or to take from any river, creek, lake, pond, or other body of water within the Indian Territory any fish or water animal so stupefied, intoxicated, or killed.

SEC. 10. That the United States courts and the United States commissioners' courts in the Indian Territory, within their respective territorial jurisdictions, are hereby given concurrent jurisdiction to enforce the provisions of this act and to try and punish violators of the same.

SEC. 11. That any person or corporation violating any or either of the provisions of this act shall, upon conviction thereof, be fined for each offense in any sum not less than $25 nor more than $500, in the discretion of the court trying the cause, and may be committed until such fine and costs shall be paid.

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.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14046) making appropriation for the naval service for the fiscal year ending June 30, 1903, and for other purposes, insists upon its amendments numbered 1, 7, 9, 13, 24, 25, 26, 37, 38, 39, 40, 43, 46, 47, 52, 56, 57, 58, 61, 64, 76, 77, 88, 89, 91, 92, and 93, upon which the committee of conference have been unable to agree, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5269) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States.

MONUMENT TO ABRAHAM LINCOLN.

Mr. HANSBROUGH. There is a conference report on the table in relation to the Abraham Lincoln monument, which I desire to have placed before the Senate.

The PRESIDENT pro tempore. It is a House conference which is on the table.

Mr. HANSBROUGH. Then I submit the Senate report.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5269) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

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

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: Insert before the House amendment the name "Senator GEORGE G. VEST," so that the amendment will read "Senator GEORGE G. VEST and Representative JAMES D. RICHARDSON;" and the House agree to the same.

GEO. PEABODY WETMORE,
H. C. HANSBROUGH,
Managers on the part of the Senate.

J. T. MCCLEARY,
S. W. MCCALL,
DUDLEY G. WOOTEN,
Managers on the part of the House.

The report was agreed to.

CUSTOMS INSPECTORS AT NEW YORK.

The bill (S. 215) regulating the duties and fixing the compensation of the customs inspectors at the port of New York was considered as in Committee of the Whole.

The bill was reported from the Committee on Finance with an amendment in line 8, after the word "them," to strike out "beyond eight hours per day" and insert "at unusual hours;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to increase the compensation of inspectors of customs at the port of New York as he may think advisable and proper, by adding to their present

compensation a sum not exceeding $1 per day, which additional compensation shall be for work now performed by them at unusual hours, for which no compensation is now allowed, and shall include work performed by said inspectors at night in examining passengers' baggage, and also as reimbursement for expenses incurred by them for meals and transportation while in the discharge or performance of their official duties.

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.

LABELING OF WINES.

Mr. MASON. I was absent from the Chamber when Order of Business 876, being the bill (S. 1347) for the proper labeling of wine purporting to be champagne, which was reported by the Senator from North Dakota [Mr. McCUMBER] on the 27th of March, was reached. I should like to have that bill considered, and, if there be no objection to it, I should like to have it passed now.

Mr. ALDRICH. There was objection to it.

The PRESIDENT pro tempore. Objection was made to it, but it went over, retaining its place on the Calendar.

Mr. MASON. I ask unanimous consent for its consideration. It is a very short bill.

The PRESIDENT pro tempore. The unanimous consent given was that the Senate would consider unobjected cases on the Calendar. The bill referred to by the Senator was objected to when it was reached.

DISTRICT OF ALASKA.

The bill (S. 4068) to redivide the district of Alaska into three recording and judicial divisions was announced as next in order.

Mr. HANSBROUGH. Let that bill go over.

The PRESIDENT pro tempore. Retaining its place?

Mr. HANSBROUGH. Retaining its place.

The PRESIDENT pro tempore. The bill will go over and retain its place on the Calendar.

ASSAY OFFICE AT TACOMA, WASH.

The bill (S. 5928) to establish an assay office at Tacoma, Wash., was announced as next in order.

Mr. FOSTER of Washington. I ask that that bill go over.

The PRESIDENT pro tempore. The bill goes over without prejudice.

COMPROMISE OF LITIGATION IN NORTH CAROLINA.

The bill (S. 5229) to authorize, settle, and compromise certain litigation pending in the circuit court for the western district of North Carolina was announced as next in order.

Mr. ALDRICH. Let that bill go over.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

DEFINITION OF "CONSPIRACY," ETC.

The bill (H. R. 11060) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases was announced as next in order.

Mr. KEAN. Let that go over. I object to the bill.

The PRESIDENT pro tempore. The bill goes over.

Mr. KEAN. It may as well go to the other Calendar.

The PRESIDENT pro tempore. Objection is made, and the bill does not retain its place, but goes to the Calendar under Rule IX.

Mr. MASON. What is the bill that goes over?

The PRESIDENT pro tempore. House bill 11060, to be found at the bottom of page 8 of the Calendar.

Mr. MASON. The bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases?

The PRESIDENT pro tempore. That is the bill.

Mr. MASON. Was there objection to the consideration of that bill?

The PRESIDENT pro tempore. There was.

ASHLEY RIVER BRIDGE.

The bill (S. 5679) to authorize the construction of two bridges across the Ashley River in the counties of Charleston and Dorchester, S. C., was announced as next in order.

Mr. McLAURIN of South Carolina. There is a bill of the same character which has passed the House of Representatives, and I should like to have that considered instead of the Senate bill.

The PRESIDENT pro tempore. Is the House bill on the Calendar?

Mr. BERRY. The House bill is on the Calendar.

Mr. McLAURIN of South Carolina. It is on the Calendar, and is order of business No. 2085. I ask that that may be considered instead of the Senate bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14247) to authorize the Charleston, Suburban and Summerville Railway Company to construct and maintain two bridges across Ashley River, in the State of South Carolina.

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

The PRESIDENT pro tempore. Senate bill 5679, on the same subject, will be indefinitely postponed, in the absence of objection. The Chair hears no objection, and that order is made.

SALE OF INTOXICATING LIQUORS IN THE DISTRICT.

The bill (S. 4202) to regulate the sale of intoxicating liquors in the District of Columbia was announced as the next business in order on the Calendar.

Mr. MASON. Let the bill go over.

Mr. HANSBROUGH. I hope the Senator from Illinois will not object.

The PRESIDENT pro tempore. Was objection made?

Mr. ALDRICH. It was.

Mr. MASON. Yes.

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

AQUEDUCT BRIDGE.

The bill (S. 5964) to provide for rebuilding the Aqueduct Bridge, District of Columbia, was announced as the next business in order on the Calendar.

Mr. GALLINGER. Let the bill be indefinitely postponed. The matter is taken care of in the District of Columbia appropriation bill.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

FISH-CULTURAL STATION IN MARYLAND.

The bill (S. 3248) to establish a fish hatchery and fish station in the State of Maryland was considered as in Committee of the Whole. It proposes to appropriate $25,000, or so much thereof as may be necessary, for the establishment of a fish-cultural station in the State of Maryland, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the United States Commissioner of Fish and Fisheries.

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

ISTHMIAN CANAL.

The bill (S. 5676) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans was announced as the next business in order on the Calendar.

Mr. KEAN. The bill had better be indefinitely postponed, I should think.

The PRESIDENT pro tempore. The Chair supposes so.

Mr. KEAN. I suggest that it be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, the bill will be indefinitely postponed.

NAVAL CONSTRUCTOR RICHMOND P. HOBSON.

The bill (S. 3983) authorizing the transfer to the retired list of the Navy of Naval Constructor Richmond P. Hobson, United States Navy, was announced as the next business in order on the Calendar.

Mr. BERRY. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

ORDER OF BUSINESS.

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

Mr. McLAURIN of Mississippi. But before that is done, I hope the Senator from New Jersey will yield to me for a moment.

Mr. BERRY. Let us pass a few more bills.

Mr. PETTUS. I hope the Senator from New Jersey will not insist upon his motion.

Mr. KEAN. I withdraw the motion for the present.

Mr. McLAURIN of Mississippi. I ask unanimous consent for the present consideration of the bill (S. 6232) for the relief of I. I. Barber. It will take but a moment. It was reported favorably this morning. It is not on the Calendar.

Mr. ALDRICH. Let the bill be read for information.

Mr. PETTUS. I ask the Senator from Mississippi, if he will allow me, to wait just two minutes before he makes his request and let the Calendar be proceeded with to that extent.

Mr. McLAURIN of Mississippi. What is the object?

Mr. PETTUS. The object is to dispose of Calendar No. 1666.

Mr. McLAURIN of Mississippi. It will take but a minute to dispose of the bill in which I am interested, and then the other bill can be called up.

Mr. PETTUS. We have not yet got away from the Calendar.

Mr. McLAURIN of Mississippi. There was a motion made to go into executive session, and I asked that it be withdrawn.

The PRESIDING OFFICER (Mr. KEAN in the chair). The motion was withdrawn.

Mr. McLAURIN of Mississippi. It will take but a moment to pass the bill.

The PRESIDING OFFICER. The regular order is the Calendar under the unanimous-consent agreement.

Mr. McLAURIN of Mississippi. I understood unanimous consent was given for the taking up of this bill.

The PRESIDING OFFICER. The Chair did not so understand it.

Mr. ALDRICH. I ask that the bill may be read for information.

The PRESIDING OFFICER. The bill has not yet been read. The request for unanimous consent has not been submitted to the Senate. The bill will be read subject to objection. But the unanimous-consent agreement was that the Senate should proceed with the consideration of unobjected cases on the Calendar. If anyone objects, the Calendar is in order.

Mr. PETTUS. All I ask is that we continue on the Calendar one moment longer.

Mr. McLAURIN of Mississippi. If I can get unanimous consent after that measure is disposed of, I will withdraw the request for the present.

Mr. TELLER. Let us go on with the Calendar.

The PRESIDING OFFICER. The next case on the Calendar will be stated.

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

Mr. FAIRBANKS. Mr. President——

Mr. McLAURIN of Mississippi. I hope the Senator from Illinois will withdraw the motion.

Mr. MASON. I understand the ruling of the Chair is that unanimous consent can not be had to take up any bill because it would interfere with the unanimous consent already given. I would gladly withhold the motion to proceed to the consideration of executive business, but under the ruling of the Chair, which I think is correct, unanimous consent can not be had until the previous agreement is exhausted.

Mr. McLAURIN of Mississippi. I do not so understand the Chair to rule.

The PRESIDING OFFICER. The Chair did not so hold.

Mr. MASON. Then I misunderstood the ruling of the Chair. I understand now we are proceeding under the unanimous-consent agreement.

The PRESIDING OFFICER. The Chair so understands.

Mr. MASON. Now unanimous consent is asked to dispense with the unanimous-consent agreement.

The PRESIDING OFFICER. The Chair did not ask unanimous consent to dispense with anything.

Mr. MASON. I move that the Senate proceed to the consideration of executive business. If the Senator from Mississippi has unanimous consent, or can get it, I will not press the motion.

Mr. McLAURIN of Mississippi. I ask unanimous consent. It will take but a moment to pass the bill. I want to get away tomorrow or the next day.

Mr. ALDRICH. We all do.

Mr. McLAURIN of Mississippi. There will be no objection to the bill.

Mr. MASON. I yield to the Senator from Mississippi.

Mr. SCOTT. I understand that unanimous consent was given to proceed with the Calendar. We all have bills which we are just as anxious to get through as is my friend on the other side with respect to his bill, and if unanimous consent is given to call up special bills, I shall certainly expect the same courtesy to be extended to me.

Mr. PETTUS. I hope the Senator will withdraw his motion.

Mr. MASON. I withdraw it.

I. I. BARBER.

Mr. McLAURIN of Mississippi. I ask unanimous consent for the present consideration of the bill (S. 6232) for the relief of I. I. Barber.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent for the present consideration of the bill indicated by him. Is there objection?

Mr. ALDRICH. Let it be read for information.

The Secretary read the bill.

Mr. ALDRICH. I feel obliged to object to the bill.

Mr. NELSON. I trust the Senator from Rhode Island will withdraw his objection. There is an amendment limiting it to the State of Mississippi. It is a perfectly harmless bill.

Mr. ALDRICH. With the amendment I shall not object.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments, in line 10, after the word "lands," to strike out "in" and insert "of;" in line 11, to strike out "or in the Territories," and insert "in the State of Mississippi," and after the word "Interior," in line 14, to insert "duly certified and assigned to the bearer."

Mr. PLATT of Connecticut. Let the bill be read as it will read if amended.

The Secretary read as follows:

Be it enacted, etc., That I. I. Barber, who is the owner of military bounty land warrant 45467, issued the 20th day of March, 1852, for 40 acres of land, and military bounty land warrant 62104, issued the 13th day of April, 1857, for 160 acres of land, is authorized to select 200 acres of unreserved public lands of the United States in the State of Mississippi in one body, or in subdivisions of not less than 40 acres each, and upon such selection and the delivery of said land warrants to the Secretary of the Interior, duly certified and assigned to the bearer, it shall be the duty of the Secretary of the Interior to issue patent, or patents, as the case may be, to said I. I. Barber for such land or lands.

The PRESIDENT pro tempore. The question is on agreeing to the amendments.

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.

SURG. JOHN F. BRANSFORD, UNITED STATES NAVY.

The bill (S. 4083) for the relief of Surg. John F. Bransford, United States Navy, was considered as in Committee of the Whole. It proposes to transfer Surg. John F. Bransford, of the retired list of the United States Navy, from the half-pay list to the 75 per cent pay list of retired officers.

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

DANIEL CHERRY.

The bill (H. R. 621) for the relief of Daniel Cherry was considered as in Committee of the Whole. It authorizes the Solicitor of the Treasury to convey, in the name of the United States, to Daniel Cherry, of Henry County, Ala., all right, title, and interest that the United States has in or to the property formerly belonging to said Daniel Cherry in the town of Dothan, Ala.

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

JOHN C. GOINGS AND OTHERS.

The bill (H. R. 2494) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department was announced as the next business in order on the Calendar.

Mr. ALDRICH. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over, objection being made.

S. J. BAYARD SCHINDEL.

The bill (H. R. 8769) for the relief of S. J. Bayard Schindel was considered as in Committee of the Whole. It directs the Secretary of War to cause to be credited the accounts of Lieut. S. J. Bayard Schindel, commissary Sixth Regiment United States Infantry, with the sum of $77.13, being for subsistence funds stolen from the commissary storehouse by unknown parties.

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

STEPHEN B. HALSEY.

The bill (H. R. 10279) to pay the claim of Stephen B. Halsey was considered as in Committee of the Whole. It proposes to appropriate $50, to be paid to Stephen B. Halsey, for the damage done to his dock at Astoria, Long Island, by the U. S. S. *Canby* on August 21, 1899.

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

HERBERT O. DUNN.

The bill (S. 1866) for the relief of Herbert O. Dunn was announced as the next business in order on the Calendar.

Mr. SCOTT. Let the bill go over.

The PRESIDENT pro tempore. It will be passed over without prejudice.

CLAIMS OF CERTAIN COUNTIES IN ARIZONA.

The joint resolution (S. R. 97) to authorize certain officers of the Treasury Department to audit, certify, and pay claims of certain counties of Arizona was considered as in Committee of the Whole.

Mr. KEAN. Is there a report?

The PRESIDENT pro tempore. There is. The report will be read.

The Secretary read the report submitted by Mr. FOSTER of Louisiana on the 31st of May, as follows:

The Committee on Claims, having had under consideration S. R. 97, to authorize certain officers of the Treasury Department to audit, certify, and pay claims of certain counties of Arizona, and having examined the same and the accompanying documents, beg leave to submit the following report:

The joint resolution (S. R. 97) authorizes the Auditor of the State and

other Departments to examine all claims which may be presented in proper form under provisions of former acts of Congress, and, if found correct, to certify the same to the Speaker of the House for a deficiency appropriation.

The history of these accounts and the necessity for present legislation are set out in a communication from the Secretary of the Treasury of January 29, 1901, transmitting a report from the Auditor for the State Department of January 28, 1901, which is herein inserted and made a part of this report.

The Committee on Claims of the Fifty-sixth Congress, second session (House Report No. 2894), made a favorable report on a similar resolution, which is hereto attached and made part of this report.

Your committee therefore recommend the passage of the joint resolution with the following amendment:

Of the title as follows: Strike out the words "and pay" in line 2 of title and insert in line 1, after "audit," the word "and."

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 29, 1901.

SIR: In reply to your communication of the 23d instant, inclosing S. R. 151, "Joint resolution authorizing proper officers of the Treasury Department to examine and certify claims in favor of certain counties in Arizona," and asking for a report thereon, I have the honor to transmit herewith copy of the report of the Auditor for State and other departments, dated the 28th instant, suggesting certain amendments to the resolution, for your information.

Respectfully,

L. J. GAGE, *Secretary.*

Hon. J. L. RAWLINS,
United States Senate.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR THE STATE AND OTHER DEPARTMENTS,
Washington, January 28, 1901.

SIR: The communication of Hon. J. L. RAWLINS, United States Senator, dated 23d instant, inclosing joint resolution (S. R. 151) and requesting an examination of same, has attention, the matter having been referred to this office for report. Mr. RAWLINS requests that the Committee on Claims, United States Senate, be informed as to the propriety or the necessity of the passage of the resolution, together with such data or information that, in your opinion, may be relevant or appropriate to the proposed legislation. The intention of the resolution is to authorize the proper officers of the Treasury Department to examine and certify claims for expenses incurred in the prosecution of Indians, in favor of certain counties in Arizona, to the Speaker of the House of Representatives for a deficiency appropriation.

I have the honor to make the following report.

Upon investigation it is found that the proper accounting officers of this Department, under authority conferred upon them by joint resolution No. 42, approved August 6, 1894 (28 Stats., 589), have examined and settled the accounts of Mohave, Gila, Apache, and Maricopa counties for legal costs and expenses incurred from March 3, 1889, to June 30, 1893, for which the United States was liable under the act of March 2, 1889 (25 Stats., 1004).

I find that there is now pending in this office an account of Gila County, Ariz., against the United States for disbursements (legal costs) and expenses incurred in said county in the matter of the prosecution and support during trial of Indians, which account has not been examined for the reason that the greater part of the claim is not covered by the provisions of joint resolution No. 42, approved August 6, 1894 (28 Stats., 589).

This resolution covered expenses from March 3, 1889, to June 30, 1893, only. The claim of Gila County, now pending, covers a payment represented as made as late as October 5, 1898. Under the act of March 3, 1885 (23 Stats., 385), and the act of March 2, 1889 (25 Stats., 1004), the Government seems to be responsible for the payment of these expenses, but before the account between the United States and the county of Gila can be stated some action on the part of Congress would have to be taken, as was done in the case of those expenses which were incurred between the dates mentioned in the joint resolution No. 42, referred to above.

The passage of joint resolution (S. R. 151), with certain alterations, seems to be proper and necessary in order that the account of Gila County, now pending in this office, may be examined and certified for payment.

It is suggested that the following alterations be made in the resolution: In lines 3 and 4, the words "and the Comptroller of the Treasury be, and they" be stricken out; in line 4, the word "is" substituted for the word "are;" in line 10, the word "ninety-nine" substituted for the word "ninety-eight;" in line 14, the word "second" substituted for "third."

Respectfully,

ERNST G. TIMME, *Auditor.*

The SECRETARY OF THE TREASURY.

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

The title was amended so as to read: "A joint resolution to authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona."

ORDER OF BUSINESS.

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

Mr. BERRY. Will the Senator permit me for a moment? There are a number of little bills which Senators are especially desirous of having passed to-day, and I would be glad if the Senator would agree to let us take fifteen or twenty minutes to call up by unanimous consent such bills to which there can be no objection.

Mr. HANSBROUGH. How many?

Mr. BERRY. I have one in which I am especially interested.

Mr. CLAY. For thirty minutes.

Mr. BERRY. That for about twenty-five or thirty minutes Senators may be recognized by the Chair.

Mr. HANSBROUGH. If it is agreeable to the Senate that individual Senators shall call up particular bills for the next thirty minutes, I will withdraw the motion.

Mr. ALDRICH. I suggest to the Senator from Arkansas that we have a unanimous-consent agreement that to-morrow after 2 o'clock the Senate shall proceed with the consideration of the Calendar of unobjected cases, subject to appropriation bills and conference reports.

Mr. BERRY. If the Senator will permit me, there are some bills which if they do not pass to-day will not get through, probably. There are a great many bills reached in running through the Calendar in which no Senator is particularly interested, and they consume a great deal of time. If we could have a unanimous-consent agreement that for thirty minutes the Chair should recognize Senators to call up bills to which there can be no objection, it would accommodate a good many Senators, and I should like to ask unanimous consent for such an arrangement, say, for thirty minutes.

Mr. FORAKER. I join in that request, and suggest that it be for twenty-five minutes simply, until 5 o'clock.

Mr. BERRY. For twenty-five minutes, until 5 o'clock.

Mr. ALDRICH. I shall not object, but I will ask to-morrow that the Calendar be proceeded with.

Mr. BERRY. I certainly have no objection to that course.

Mr. HANSBROUGH. I withdraw the motion for that purpose.

The PRESIDENT pro tempore. The Senator from Arkansas asks unanimous consent that until 5 o'clock Senators may address the Chair in order to call up bills. Is there objection? The Chair hears none.

JOHN J. SOUTHERLAND.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 13598) granting a pension to John J. Southerland.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of John J. Southerland, late of Capt. Michael M. Gilbreath's company, Alabama scouts and guides, and to pay him a pension at the rate of $12 per month.

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

THOMAS L. COLLINS.

Mr. FORAKER. I ask unanimous consent for the immediate consideration of the bill (S. 6123) granting an increase of pension to Thomas L. Collins.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas L. Collins, late of Company H, Twelfth Regiment Ohio Volunteer Cavalry, 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.

SUSAN L. LYNCH.

Mr. PETTUS. I ask for the present consideration of the bill (H. R. 14182) granting an increase of pension to Susan L. Lynch.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Susan B. Lynch, widow of George Lynch, late of Captain Irby's company, First Battalion Alabama Volunteers, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

BUILDING FOR THE DEPARTMENT OF AGRICULTURE.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (S. 4722) for the erection of a building for the use and accommodation of the Department of Agriculture.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in section 1, page 2, line 4, after the word "heating," to insert "and ventilating;" so as to make the section read:

That the Secretary of Agriculture be, and he is hereby, authorized and directed to cause a suitable and commodious fireproof building, for the use and accommodation of the Department of Agriculture, to be erected on such portion of the grounds of the Department of Agriculture belonging to the United States as he may deem expedient, said building to be constructed in accordance with the approved plans heretofore secured in pursuance of the provisions of the act of Congress approved March 2, 1901, and he is hereby authorized, after due advertisement for proposals, to enter into contracts within the limit of cost hereby fixed and subject to appropriations to be made by Congress, for the erection of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the removal of the present building or buildings of the Department of Agriculture on said grounds.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 16, after the word "heating," to insert "and ventilating," and in line 17, after the word "the," to insert "cost for;" so as to make the section read:

SEC. 3. That the limit of cost for the construction of said building complete, including heating and ventilating apparatus, elevators, and approaches, and the cost for removal of the present building or buildings of the Department of Agriculture, is hereby fixed at $2,500,000, and no contract shall be entered into or expenditure authorized in excess of said amount.

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.

JACOB FINDLEY.

Mr. CLAY. I ask that the bill (H. R. 10856) granting a pension to Jacob Findley be taken up and passed.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Jacob Findley, late of Company F, One hundred and thirty-fifth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $12 per month.

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

JAMES A. CHALFANT.

Mr. SCOTT. I ask to call up the bill (H. R. 6005) granting a pension to James A. Chalfant.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of James A. Chalfant, late of Company F, Eighteenth Regiment United States Infantry, and to pay him a pension of $8 per month.

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

JOHN SCOTT.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 6023) for the relief of John Scott.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the proper accounting officers of the Treasury to examine and settle the claim of John Scott, late sutler Twenty-first Regiment New York Cavalry, for money alleged to be due him by certain enlisted men of that regiment who had died in the service or who had deserted.

Mr. ALDRICH. It is a pretty dangerous precedent to establish, it seems to me, to provide that the Government of the United States shall pay claims of sutlers in the late war on soldiers who are dead or who deserted. It strikes me that it is going a long distance. I did not know the Government ever assumed any responsibility in such a case.

Mr. PLATT of Connecticut. Let the report be read.

Mr. MARTIN. I am sure that one sentence will explain the bill to the satisfaction of every Senator. It only provides that the amount due to these soldiers who died in the service and which amount was due to this sutler and has never been paid by the Government to anyone at all shall be paid to the sutler. In accordance with the usage that existed in the payment to the men, the sutlers' claims were recognized. This sutler was in prison at the time, and the amount due from these soldiers has never been paid to the soldiers, and it was not paid to the sutler for that reason. The payment of the claim is recommended by the Department. It does not take from the Government one dollar except what was due to the soldiers and has not been paid over to those soldiers.

Mr. SPOONER. Who ascertains the amount due the sutler?

Mr. MARTIN. The Treasury Department ascertains it.

Mr. PLATT of Connecticut. Let the report be read.

Mr. MARTIN. The report is quite a long one.

Mr. TELLER. I should like to suggest that if these payments had been made at the time the amount would have been paid to the sutler. It seems to me that is all there is of it.

Mr. SCOTT. The money, I understand, is now in the Treasury.

Mr. TELLER. Their personal representatives have never made any claim to it, and under the system the Government adopted they would have to wait until the sutler was paid before they could receive anything. The sutler has a sort of a lien on the pay.

Mr. SPOONER. Were the sutler's claims stopped on the pay roll against the soldiers' pay?

Mr. MARTIN. That is right. The amounts which it is sought now to turn over to the sutler were the amounts that were due to these soldiers and never have been paid over to them. The bill itself provides that nothing shall be paid to this sutler on account of anything due from the soldier if the soldier has been settled with. It only pays over to the sutler the amounts that have been withheld from the soldier because of the sutler's claims, which amounts would have been paid to the sutler but for the fact that the sutler was in prison.

Mr. SCOTT. I understand that the Government has the money in its hands and has not paid it.

Mr. MARTIN. It has the money in its hands now.

Mr. SCOTT. The money is in the hands of the Secretary of the Treasury.

Mr. PLATT of Connecticut. May I make one further inquiry? In case a soldier deserts, does the Government pay him?

Mr. MARTIN. As I understand it, in case a soldier deserts, of course he would have no right to his pay. But the usage in the Army was that the sutler made advances to soldiers and that when the soldier was settled with the amount due the sutler should be retained out of the amount to be paid to the soldier.

Mr. TELLER. And if he deserted, the Government paid to that extent.

Mr. PLATT of Connecticut. The question is whether the usage was that if a soldier deserted the sutler should be paid.

Mr. MARTIN. I think beyond a doubt when the money was advanced for the soldier while he was doing service to the Government, the money which was earned by him ought to be paid to the man who advanced it.

Mr. SPOONER. I doubt if that ever was the rule. A soldier who deserted, as I understand it, forfeited all the pay due him.

Mr. MARTIN. He forfeited all his pay except such as had not been pledged, with the approval of the military organization at that time, to the sutler.

Mr. SPOONER. I think the sutler took his chance on the man remaining in the service or deserting.

Mr. MARTIN. I think it would be very hard to apply such a rule to this sutler who was in prison, and who would have gotten the money if he had not been in prison.

Mr. SPOONER. All these men did not desert?

Mr. MARTIN. No; some of them were deserters and some died in the service without collecting the money due them. I do not know what per cent of them were deserters, but some of them deserted. Some of them died in the service without collecting their money.

Mr. SPOONER. I ask that the bill be read again.

The PRESIDENT pro tempore. The bill will be again read.

The Secretary again read the bill.

Mr. McCOMAS. I move, in line 8, after the word "service," to strike out the words "or who had deserted."

Mr. MARTIN. I care nothing for it, but that is not just. It is not right.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland.

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.

WARREN C. PLUMMER.

Mr. McCUMBER. I ask for the present consideration of the bill (H. R. 12056) granting an increase of pension to Warren C. Plummer.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Warren C. Plummer, late first lieutenant Company C, Fifteenth Regiment Maine 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.

FRANCIS M. BEEBE.

Mr. DEBOE. I ask unanimous consent for the present consideration of the bill (H. R. 10964) granting an increase of pension to Francis M. Beebe.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Francis M. Beebe, late of Company G, One hundred and fourteenth Regiment New York Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

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

CAROLINE A. HAMMOND.

Mr. MORGAN. I ask that the Senate proceed to the consideration of the bill (H. R. 9187) granting an increase of pension to Caroline A. Hammond.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

It proposes to place on the pension roll the name of Caroline A. Hammond, widow of William P. Hammond, late of Captain Goodwyn's company of Alabama Volunteers, Creek Indian war, and to pay her a pension of $12 per month in lieu of that she is now receiving, the same to be paid to her under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of any former erroneous payments of pension.

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

ALBION M. CHRISTIE.

Mr. McCOMAS. I ask for the present consideration of the bill (H. R. 2641) for the relief of Albion M. Christie.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceed to its consideration. It directs the Secretary of the Treasury to pay to Albion M. Christie, assignee of Luke Christie, deceased, local inspector, $268.80, being the proceeds of Treasury warrant No. 2049, dated February 1, 1861, and drawn in favor of Luke Christie, local inspector, for that amount, in payment for work and labor performed by him as inspector of hulls at Savannah, Ga.

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

JOSEPH H. PENNY AND OTHERS.

Mr. DOLLIVER. I desire to ask unanimous consent for the present consideration of the bill (H. R. 2978) for the relief of Joseph H. Penny, John W. Penny, Thomas Penny, and Harvey Penny, surviving partners of Penny & Sons.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to give the Court of Claims jurisdiction to rehear and reconsider and determine the motion filed in that court by the claimants on the 15th day of April, 1898, for a rehearing and new trial of the case of Penny & Sons *v.* The United States and Sioux Indians, numbered in the court as Indian depredations No. 4634; and to that end the bar of the statute of limitations against the motion is removed.

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

RESERVOIR SITES.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. 6250) to regulate the use by the public of reservoir sites located upon the public lands of the United States.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

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

EDWIN P. JOHNSON.

Mr. MORGAN. I ask for the present consideration of the bill (H. R. 9308) granting an increase of pension to Edwin P. Johnson.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Edwin P. Johnson, late of Company E, Thirteenth Regiment United States Infantry, war with Mexico, and to pay him a pension of $12 per month in lieu of that he is now receiving.

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

COLVILLE INDIAN RESERVATION LANDS.

Mr. FOSTER of Washington. I wish to call up the bill (H. R. 159) providing for free homesteads on the public lands for actual and bona fide settlers in the North one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose. It has been read once, and it is not necessary to read it again.

Mr. PLATT of Connecticut. I do not desire to interpose any factious objection to that bill, but there will have to be quite an extended statement made as to the effect of it when it is considered. There is no time to make it this afternoon.

The PRESIDENT pro tempore. Objection is made. The bill goes over, retaining its place.

READING MATTER FOR THE BLIND.

Mr. QUARLES. I ask unanimous consent for the consideration of the bill (S. 2644) to promote the circulation of reading matter among the blind.

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

The PRESIDENT pro tempore. The bill has been read in full to the Senate. The amendments of the Committee on Post-Offices and Post-Roads will be stated.

The amendments were in section 1, line 5, after the word "packages," to insert "and containing no advertising or other matter whatever," and in line 7, after the word "exceeding," to strike out "four" and insert "ten;" so as to make the section read:

That books, pamphlets, and other reading matter in raised characters for the use of the blind, whether prepared by hand or printed, in single volumes or in packages, and containing no advertising or other matter whatever, unsealed and not exceeding 10 pounds in weight, when sent by public institutions for the blind as a loan to blind readers, or when returned by the latter to such institutions, shall be transmitted in the United States mails free of postage.

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.

EXECUTIVE SESSION.

Mr. FORAKER. I ask consideration of the bill (S. 6045) granting an increase of pension to Charles Sprague.

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

Mr. FORAKER. I hope the Senator will withdraw that motion for a moment.

The PRESIDENT pro tempore. The Senator from West Virginia moves that the Senate proceed to the consideration of executive business.

Mr. FORAKER. I appeal to the Senator from West Virginia to delay his motion just one moment. It is only a pension bill, and it will take but a moment.

The PRESIDENT pro tempore. Will the Senator from West Virginia yield for a pension bill?

Mr. SCOTT. I would be delighted to do so if there were not so many of my friends standing up who will ask me to do the same thing.

The PRESIDENT pro tempore. The question is on the motion to proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 26, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 25, 1902.

CAPTAIN OF INFANTRY.

James W. Long, late captain in the United States Army, to be captain of infantry, June 24, 1902.

APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

Corpl. John A. Barry, Troop D, Third Cavalry, to be second lieutenant, June 24, 1902.

INFANTRY ARM.

Sergt. Walter O. Boswell, general service, United States Army, to be second lieutenant, June 24, 1902.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

Reynold Marvin Kirby-Smith, of Tennessee, late captain and assistant surgeon, First Tennessee Volunteers, June 24, 1902.

William Henry Moncrief, of Georgia, late first lieutenant and assistant surgeon, Second Georgia Volunteers, June 24, 1902.

George Lehman Collins, of Massachusetts, June 24, 1902.

Nelson Gapen, of the District of Columbia, June 24, 1902.

William Thornwall Davis, of Kentucky, June 24, 1902.

Charles Frederick Morse, of Vermont, June 24, 1902.

Samuel Ernest Lambert, of Alabama, June 24, 1902.

Theodore Lamson, of Massachusetts, June 24, 1902.

Haywood Shepherd Hansell, of Georgia, June 24, 1902.

Junius Claiborne Gregory, of Virginia, June 24, 1902.

Clarence Herbert Connor, of Iowa, June 24, 1902.

Jay Weir Grissinger, of Pennsylvania, June 24, 1902.

Will Leroy Pyles, of the District of Columbia, June 24, 1902.

Thomas Devereux, of Minnesota, June 24, 1902.

William Mitchell Smart, of the District of Columbia, June 24, 1902.

Robert Hamilton Pierson, of New York, June 24, 1902.

Cary Alexander Snoddy, of Tennessee, June 24, 1902.

Harry Selby Purnell, of Maryland, June 24, 1902.

TO BE SECOND LIEUTENANTS.

Corps of Engineers.

1. William A. Mitchell.
2. Warren T. Hannum.
3. Francis F. Longley.
4. Robert R. Ralston.
5. Mark Brooke.
6. Laurence V. Frazier.
7. James F. Bell.

Cavalry Arm.

12. Adam F. Casad.
17. John C. Pegram.
18. Charles H. Jennings.
19. Harry L. Hodges.
23. Rigby D. Valliant.
25. Victor S. Foster.
29. Samuel W. Robertson.
30. Herbert Z. Krumm.
31. Oscar Foley.
32. Frederick D. Griffith, jr.
33. William L. Stevenson.
34. Albert B. Dockery.
36. Henry E. Mitchell.
37. Edmund L. Zane.
38. Nelson A. Goodspeed.
39. Charles McH. Eby.
40. William H. Cowles.
44. William A. McCain.
45. John K. Herr.
46. Philip H. Sheridan.
47. Joseph F. Taulbee.
50. Andrew W. Smith.
52. Troup Miller.
54. William W. Edwards.

Artillery Corps.

9. Wade H. Carpenter.
10. Frederic W. Hinrichs, jr.
11. Samuel Frankenberger.
13. Charles M. Allen.
14. John E. Munroe.
16. Stephen Abbot.
21. William F. Morrison.
22. William H. Williams.
24. Myron S. Crissy.
26. Ned B. Rehkopf.
27. Walter K. Wilson.
28. John P. Terrell.
35. William M. Davis.

Infantry Arm.

8. Gilbert H. Stewart.
15. John M. Gibert.
20. Edward J. Moran.
41. John R. McGinness.
42. Henry M. Nelly.
43. Frederick F. Black.
48. James M. Hobson, jr.
49. David H. Bower.
51. Hiram M. Cooper.
53. Benjamin F. Miller.

INFANTRY ARM.

Louis Soléliac, jr., of New York, to be second lieutenant, June 23, 1902.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Albert S. Fuger, Eleventh Cavalry, from the Cavalry Arm to the Artillery Corps, with rank from February 2, 1901.

Second Lieut. Rawson Warren, Artillery Corps, from the Artillery Corps to the Cavalry Arm, with rank from February 2, 1901.

REGISTER OF LAND OFFICE.

Matthew R. Wilson, of Livingston, Mont., to be register of the land office at Bozeman, Mont., vice Albert L. Love, term expired.

RECEIVER OF PUBLIC MONEYS.

George O. Freeman, of Helena, Mont., to be receiver of public moneys at Helena, Mont., vice John Horsky, term expired.

UNITED STATES ATTORNEY.

William M. Mellette, of the Indian Territory, to be United States attorney for the western district of the Indian Territory, commencing July 1, 1902. An original appointment as provided in the act approved May 27, 1902, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes."

MARSHAL.

William H. Darrough, of the Indian Territory, to be United States marshal for the northern district of the Indian Territory, commencing July 1, 1902. An original appointment as provided in the act approved May 27, 1902, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes."

CONSUL.

John B. Richardson, of Kansas, to be consul of the United States at Port Limon, Costa Rica, to fill an original vacancy.

APPOINTMENTS IN THE NAVY.

To be civil engineers with rank of lieutenant (junior grade).

Charles A. Wentworth, a citizen of Massachusetts.
George A. McKay, a citizen of New York.

POSTMASTERS.

Joel S. Ray, to be postmaster at Arcola, in the county of Douglas and State of Illinois, in place of Joel S. Ray. Incumbent's commission expires July 1, 1902.

William H. Steen, to be postmaster at Braidwood, in the county of Will and State of Illinois, in place of William H. Steen. Incumbent's commission expired June 22, 1902.

Cassius M. C. Weedman, to be postmaster at Farmer City, in the county of De Witt and State of Illinois, in place of Cassius M. C. Weedman. Incumbent's commission expired June 14, 1902.

Joseph T. Van Gundy, to be postmaster at Monticello, in the county of Piatt and State of Illinois, in place of Joseph T. Van Gundy. Incumbent's commission expires July 1, 1902.

Adolphus T. Jenkins, to be postmaster at Sullivan, in the county of Moultrie and State of Illinois, in place of Adolphus T. Jenkins. Incumbent's commission expires July 7, 1902.

George S. Harris, to be postmaster at Gas City, in the county of Grant and State of Indiana, in place of George S. Harris. Incumbent's commission expires July 7, 1902.

Charles M. Junkin, to be postmaster at Fairfield, in the county of Jefferson and State of Iowa, in place of Charles M. Junkin. Incumbent's commission expired June 24, 1902.

William H. Ellett, to be postmaster at Eldorado, in the county of Butler and State of Kansas, in place of Arthur J. Palmer. Incumbent's commission expired May 10, 1902.

James Frey, to be postmaster at Enterprise, in the county of Dickinson and State of Kansas, in place of James Frey. Incumbent's commission expires July 7, 1902.

Henry L. Henderson, to be postmaster at Iola, in the county of Allen and State of Kansas, in place of Henry L. Henderson. Incumbent's commission expired June 3, 1902.

Isaac B. Davis, to be postmaster at Marysville, in the county of Marshall and State of Kansas, in place of Isaac B. Davis. Incumbent's commission expired March 9, 1902.

Thomas E. Hurley, to be postmaster at Minneapolis, in the county Ottawa and State of Kansas, in place of Thomas E. Hurley. Incumbent's commission expired June 2, 1902.

Floyd E. Young, to be postmaster at Stockton, in the county of Rooks and State of Kansas, in place of William L. Chambers. Incumbent's commission expired March 4, 1902.

George H. Pond, to be postmaster at Ann Arbor, in the county of Washtenaw and State of Michigan, in place of George H. Pond. Incumbent's commission expired May 5, 1902.

Mark L. Doughty, to be postmaster at Farmington, in the county of St. Francois and State of Missouri, in place of Mark L. Doughty. Incumbent's commission expired June 13, 1902.

Isaac N. Strawn, to be postmaster at Hopkins, in the county of Nodaway and State of Missouri, in place of Isaac N. Strawn. Incumbent's commission expires July 7, 1902.

Louis T. Derousse, to be postmaster at Camden, in the county of Camden and State of New Jersey, in place of Louis T. Derousse. Incumbent's commission expires July 7, 1902.

Bernard Roddy, to be postmaster at South Amboy, in the county of Middlesex and State of New Jersey, in place of Bernard Roddy. Incumbent's commission expired June 14, 1902.

Milo B. Greene, to be postmaster at Alfred, in the county of Allegany and State of New York, in place of Milo B. Greene. Incumbent's commission expired June 3, 1902.

Frank Jones, to be postmaster at Ballston Spa, in the county of Saratoga and State of New York, in place of Frank Jones. Incumbent's commission expired March 22, 1902.

Charles E. Sheldon, to be postmaster at Sherman, in the county of Chautauqua and State of New York, in place of Charles E. Sheldon. Incumbent's commission expired June 2, 1902.

Henry J. Jones, to be postmaster at Elko, in the county of Elko and State of Nevada, in place of Henry J. Jones. Incumbent's commission expires July 7, 1902.

George L. Patterson, to be postmaster at Concord, in the county of Cabarrus and State of North Carolina, in place of George L. Patterson. Incumbent's commission expired April 4, 1902.

John O. Burton, to be postmaster at Weldon, in the county of Halifax and State of North Carolina, in place of John H. Howard. Incumbent's commission expired May 24, 1902.

Mark Sternberger, to be postmaster at Jackson, in the county

of Jackson and State of Ohio, in place of Mark Sternberger. Incumbent's commission expires July 4, 1902.

William F. Hains, to be postmaster at Wilmington, in the county of Clinton and State of Ohio, in place of John C. Smith. Incumbent's commission expired May 5, 1902.

Ralph N. Warner, jr., to be postmaster at Haverford, in the county of Montgomery and State of Pennsylvania, in place of James E. Dougherty. Incumbent's commission expired August 16, 1898.

Jesse H. Roberts, to be postmaster at Downingtown, in the county of Chester and State of Pennsylvania, in place of Jesse H. Roberts. Incumbent's commission expired June 24, 1902.

Abram M. Morrison, to be postmaster at Ennis, in the county of Ellis and State of Texas, in place of Abram M. Morrison. Incumbent's commission expires July 7, 1902.

Carrie E. Hoke, to be postmaster at Taylor, in the county of Williamson and State of Texas, in place of Carrie E. Hoke. Incumbent's commission expired May 24, 1902.

Frederick G. Ellison, to be postmaster at Springfield, in the county of Windsor and State of Vermont, in place of Frederick G. Ellison. Incumbent's commission expired June 22, 1902.

Ida A. Hewes, to be postmaster at Casper, in the county of Natrona and State of Wyoming, in place of Ida A. Hewes. Incumbent's commission expires July 7, 1902.

Maud Olmsted, to be postmaster at Littleton, in the county of Arapahoe and State of Colorado. Office becomes Presidential July 1, 1902.

William E. Osmun, to be postmaster at Montague, in the county of Muskegon and State of Michigan. Office becomes Presidential July 1, 1902.

Eugene E. Robertson, to be postmaster at Collins, in the county of Covington and State of Mississippi. Office becomes Presidential July 1, 1902.

George W. Young, to be postmaster at Brevard, in the county of Transylvania and State of North Carolina. Office becomes Presidential July 1, 1902.

Joshua P. Jessup, to be postmaster at Hertford, in the county of Perquimans and State of North Carolina. Office becomes Presidential July 1, 1902.

Lucian T. Claybaugh, to be postmaster at Donora, in the county of Washington and State of Pennsylvania. Office becomes Presidential July 1, 1902.

Charles W. Anderson, to be postmaster at Platte, in the county of Charles Mix and State of South Dakota. Office becomes Presidential July 1, 1902.

Charles H. Kuester, to be postmaster at North Judson, in the county of Starke and State of Indiana. Office becomes Presidential July 1, 1902.

Paul A. F. Walter, to be postmaster at Santa Fe, in the county of Sante Fe and Territory of New Mexico, in place of Simon Nusbaum. Incumbent's commission expired May 19, 1902.

William J. Hamilton, to be postmaster at Linton, in the county of Greene and State of Indiana, in place of Walter W. Wills, removed.

J. Watts Kearny, to be postmaster at New Orleans, in the parish of Orleans and State of Louisiana, in place of David G. Baldwin, resigned.

Stephen Farmer, to be postmaster at Greenfield, in the county of Weakley and State of Tennessee, in place of Henry C. Neely, removed.

Nellie M. Thiriot, to be postmaster at Park City, in the county of Summit and State of Utah, in place of Nellie M. Theriott, to correct name.

Thomas H. Davis, to be postmaster at Ogden, in the county of Weber and State of Utah, in place of Charles Meighan, removed.

L. C. Schultz, to be postmaster at Green River, in the county of Sweetwater and State of Wyoming, in place of Karl Spinner, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 25, 1902.

PROMOTIONS IN THE ARMY.

Maj. Frank F. Eastman, Twenty-eighth Infantry, to be commissary with the rank of major, with rank from April 1, 1901.

Maj. Robert L. Bullard, commissary, to be major of infantry, with rank from April 1, 1901.

SURVEYOR OF CUSTOMS.

George H. Ludde, of Iowa, to be surveyor of customs for the port of Burlington, in the State of Iowa.

COLLECTOR OF CUSTOMS.

Christopher D. Jones, of North Carolina, to be collector of customs for the district of Beaufort, in the State of North Carolina.

POSTMASTERS.

John T. Davenport, to be postmaster at Gordonsville, in the county of Orange and State of Virginia.

Dalton A. Brosius, to be postmaster at Vermilion, in the county of Clay and State of South Dakota.

Emmons R. Stockwell, to be postmaster at Theresa, in the county of Jefferson and State of New York.

William H. Norris, to be postmaster at Carlyle, in the county of Clinton and State of Illinois.

Berry E. Raulerson, to be postmaster at Lake City, in the county of Columbia and State of Florida.

A. L. Williams, to be postmaster at Edinburg, in the county of Christian and State of Illinois.

Champ T. Barksdale, to be postmaster at Danville, in the county of Pittsylvania and State of Virginia.

Clarence E. Holt, to be postmaster at Hospital, in the county of Kankakee and State of Illinois.

Charles F. Best, to be postmaster at Nokomis, in the county of Montgomery and State of Illinois.

William P. Slack, to be postmaster at Carbondale, in the county of Jackson and State of Illinois.

Archibald Shaw, to be postmaster at Lawrenceburg, in the county of Dearborn and State of Indiana.

Samuel S. Dingee, to be postmaster at Wilmette, in the county of Cook and State of Illinois.

Everett W. Osgood, to be postmaster at Winnetka, in the county of Cook and State of Illinois.

Henry B. Van Nest, to be postmaster at Peabody, in the county of Marion and State of Kansas.

Clarkson L. Hutchens, to be postmaster at Winchester, in the county of Randolph and State of Indiana.

James S. Reeves, to be postmaster at Union City, in the county of Randolph and State of Indiana.

Frank H. Latta, to be postmaster at Battle Creek, in the county of Calhoun and State of Michigan.

Marshall M. Murdock, to be postmaster at Wichita, in the county of Sedgwick and State of Kansas.

Jesse D. Kennard, to be postmaster at Seneca, in the county of Nemaha and State of Kansas.

Fred H. Ackerman, to be postmaster at Bristol, in the county of Grafton and State of New Hampshire.

John A. Spalding, to be postmaster at Nashua, in the county of Hillsboro and State of New Hampshire.

David E. Wilson, to be postmaster at Belding, in the county of Ionia and State of Michigan.

Stephen G. Newman, to be postmaster at Haverstraw, in the county of Rockland and State of New York.

Emiel Rebell, to be postmaster at Fort Plain, in the county of Montgomery and State of New York.

L. E. Kittrell, to be postmaster at Socorro, in the county of Socorro and Territory of New Mexico.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 25, 1902.*

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

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Eternal and ever-living God, our Father, look down we beseech Thee with compassion upon our infirmities, and forgive our sins. Deliver us from all sinister motives, and from the evil which doth so easily beset us. Help us to live to the high-water mark of Christian manhood seven days in the week. Be with all who are in distress or sorrow, all who are suffering, and comfort them.

Hear us especially when we pray for the King of England. If it is in accordance with Thy will, grant that he may be restored to strength to guide and control his nation in justice and equity under Thy direction; in the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON and Mr. HULL rose.

The SPEAKER. The gentleman from Illinois.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. HULL. If the gentleman from Illinois thinks that his bill should come in first, I am perfectly willing.

Mr. CANNON. I think that in five minutes we can dispose of it. I call up the conference report on the sundry civil bill and ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Illinois calls up the conference report on the sundry civil bill and asks unanimous consent

to waive the reading of the report, and that the statement only be read. Is there objection?

There was no objection.

The statement was read.

[For text of the statement and conference report see page 7336.]

Mr. CANNON. Mr. Speaker, a single word. The Senate amendments to this bill aggregated six and one-half million dollars in round numbers, $2,700,000 of which was for the rebate on the tobacco tax. That was agreed to. After that was agreed to the remaining amendments were divided about half and half.

I move the adoption of the conference report.

Mr. RICHARDSON of Tennessee. What amount is now carried by the bill?

Mr. CANNON. Sixty million dollars in round numbers.

Mr. RICHARDSON of Tennessee. How does this amount compare with the sundry civil bill in the last Congress? I do not carry it in my mind.

Mr. CANNON. This is something less than in the last Congress.

Mr. RICHARDSON of Tennessee. Can the gentleman state how much less?

Mr. CANNON. About $1,000,000, as I now recollect it.

The conference report was agreed to.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I call up the conference report on the bill (H. R. 12804) making appropriations for the Army.

The SPEAKER. The gentleman from Iowa calls up the conference report on the Army appropriation bill.

Mr. HULL. Mr. Speaker, I ask unanimous consent that the statement be read, and not the report.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the statement only be read and the reading of the report be omitted. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

[For conference report and statement, see House proceedings of June 23.]

Mr. HULL. Mr. Speaker, this report virtually, if adopted, closes up all matters of difference between the two Houses except on amendments 14 and 15. I will bring that up after the adoption of the report, if it should be adopted, and I ask a vote on the adoption of the report.

Mr. HAY. I will state to the gentleman from Iowa in the reading of the statement I did not hear the amendment proposed by the Senate with reference to men in the Army who stood examinations for commission. I did not hear it read as to what the result was.

Mr. HULL. The Senate recedes.

Mr. HAY. That is what I know, but I did not hear it read.

Mr. HULL. That is amendment numbered 4. I ask for a vote, Mr. Speaker, on the adoption of the report.

The question was taken, and the conference report was agreed to.

On motion of Mr. HULL, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

Mr. HULL. Now, Mr. Speaker, amendments numbered 14 and 15 have not yet been agreed to. Amendment numbered 14 is where the Senate struck out "three" and inserted "four," making the appropriation for barracks and quarters $4,000,000.

Mr. HAY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Does the gentleman yield?

Mr. HULL. Yes; for a parliamentary inquiry.

Mr. HAY. I desire to know whether the gentleman from Iowa can call up something which is not in the conference report, except by the consent of the House?

Mr. HULL. If it disposes of the bill, Mr. Speaker, I should imagine I had the right to present anything that will pass the bill.

The SPEAKER. The Chair will state to the gentleman from Virginia that the conference report is agreed to, and all that was submitted to the House for approval has been disposed of. This is as to those matters which are not yet disposed of, and therefore it is proper for the gentleman to bring it to the attention of the House.

Mr. HAY. If the Speaker will permit me, these matters were taken out of the conference by order of the House.

The SPEAKER. And therefore must be met by the House in order to dispose of them.

Mr. HULL. Mr. Speaker, as I was saying, No. 14 simply increases the appropriation for barracks and quarters, without any change in the law, or any change in the language of the appropriation, from $3,000,000 to $4,000,000. Amendment numbered 15 made a reappropriation of $350,000, and in addition to that changed the language under which the appropriations could be used. The House took occasion to contest and to strike out all that relating to the reappropriation, and also as to the change of language, and adopted a part of the amendment of the Senate, and in conference the Senate conferees declined to take any action whatever on amendment 15.

Mr. RICHARDSON of Tennessee. Mr. Speaker, it is impossible to hear what the gentleman says unless he speaks louder.

Mr. HULL. Some gentlemen say that it is not in conference. It was not in conference in shape that the House conferees could consider any more suggestions looking to the modifying of these two amendments; but, Mr. Speaker, I hardly think it would not be in conference to the extent that if the Senate had receded from its disagreement to the action of the House we could have brought in a full report taking the entire matter out of controversy, and by the adoption of the report would have passed the bill. So that to this extent it was in conference. It was in conference to the extent that we could discuss it, that we could lay the matter before the conferees, that we could come to some arrangement, or we could reach an agreement that the Senate would agree to the action of the House; so that when gentlemen say that it was not in conference they do not state the whole truth. The conferees in full——

Mr. CANNON. If my friend will allow me, I still think that formally, technically, the two amendments were not in conference. The only way that the Senate could have disposed of them, or they could have been disposed of up to this time, would have been for the Senate to have receded from its amendment on 14 and to have agreed to the House amendment on 15. But let that be as it may, if the gentleman has any information, now that it is up to the House again, has any information or suggestion to make as to how this matter can be accommodated, it seems that the House is entitled to know it by a motion or suggestion.

Mr. HULL. Mr. Speaker, the very fact that we could have made a full agreement, not only on what we have brought in, but on these two amendments by the Senate receding from its action, is evident that it was before us to that extent. But, Mr. Speaker, in the discussion of the conferees I agreed to test the sense of the House on a motion which I shall offer.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to raise a point of order. There is absolutely nothing before the House.

Mr. HULL. I will make the motion.

Mr. RICHARDSON of Tennessee. I confess there is some novelty in the matter.

Mr. HULL. It is a very ordinary procedure, and the gentleman from Tennessee is guilty as often as any man on the floor of this House.

Mr. RICHARDSON of Tennessee. I did not catch the remark of the gentleman from Iowa.

Mr. HULL. I say this is an ordinary procedure—to make an explanation before making the motion—something that happens every day, and the gentleman from Tennessee has been guilty of doing it.

The SPEAKER. The Chair will state that if the gentleman from Tennessee insists upon his point of order the Chair will be obliged to sustain it.

Mr. HULL. I recognize the point of order, Mr. Speaker, and I will move that the House recede from its adherence to amendment 14 and agree to the Senate amendment by striking out the word "four" and inserting "three million three hundred and fifty thousand;" so that it will read: "three million three hundred and fifty thousand dollars." Now, Mr. Speaker, after the motion is stated I desire to give an explanation of that motion.

The SPEAKER. The gentleman from Iowa moves that the House recede from its adherence to the disagreement to amendment 14 and agree to the same with the following amendment, which the Clerk will report.

The Clerk read as follows:

Strike out "four million" and insert "three million three hundred and fifty thousand."

Mr. HULL. Now, Mr. Speaker, I desire to say that the Senate conferees in the discussion of these points at issue between the two Houses are willing to recede from all legislation, leaving——

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to make the point of order, in order that the question may be presented fairly, that the House, having adhered to this proposition, can not now retreat. It is too late. The House has adhered to the disagreement to the amendment by a solemn vote, which is the highest action the House can take; and having adhered, it is not in order for the House to now retreat.

Mr. HULL. I am willing to submit that to the Chair.

The SPEAKER. The Chair is ready to rule on the point of order. While an adherence is the highest expression the House can give in respect to an amendment, still it is never beyond the

power of the House to recede from adherence, and there are abundant authorities where this has been done.

Mr. RICHARDSON of Tennessee. Of course, Mr. Speaker, I do not want to argue after the Chair has ruled; but what is the distinction between a mere insistence and adherence?

The SPEAKER. That is a question of parliamentary law; but the Chair will state that it is to indicate to the other House how strongly it disagrees, but it never passes beyond the power of the House to recede from its adherence if it so desires.

Mr. HULL. Mr. Speaker, the only question between the two Houses is on one proposition. The Senate conferees express themselves ready to agree to our amendment No. 15 providing we give this increase on the appropriation. They have already receded from other points of the bill more than making up this amount. This is the only point where there was an issue involved that they are insisting that they are right, and that they must have that amount in order to reach a final agreement on the bill.

Mr. LIVINGSTON. I want to ask the chairman a question. I believe we gave two millions in the sundry civil bill and three millions in the Army bill and two millions in the Philippine proposition, which makes seven millions for buildings. Now, I want to ask if it did not develop in the conference that $350,000 is merely to sustain their dignity, and did it not develop that there was no necessity for it?

Mr. HULL. No, it did not. I will say that the Secretary of War and the Adjutant-General insisted that on account of the large number of troops returning from the Philippines in excess of the number that it was assumed would be brought home when the estimate was submitted, that they needed all that the Senate gave in order to provide for these troops. Not only that, but with this amount they would perhaps have to put some of the troops in tents during the coming winter, and they wanted to push ahead the construction of barracks and quarters. It also developed in the conference, if I am permitted to refer to that, a Senator representing the gentleman's own party said that as far as he was concerned he had been with the contention of the House up to that point, but if we did not concede the $350,000, so far as his opinion was concerned, so far as his efforts were concerned, so far as his advocacy was concerned, the bill might die; he would not surrender everything for nothing.

Now, I am not here to say whether it will die or not if we refuse to recede, but I do say that in the closing days of the session for this House to refuse this one concession, this one little amendment, and send it back without further adherence, is taking a course that it seems to me we ought not to take. There is nothing involved in the controversy which would justify such action by the House. So far as the War Department is concerned, if we are to build what the Secretary of War says, every dollar of money will be needed for temporary quarters until permanent barracks can be erected in their place.

Mr. LIVINGSTON. One other question. How could the Senate let down from $1,000,000 to $350,000? If the $1,000,000 was necessary, why did they not contend for it?

Mr. HULL. They did contend for it until we told them there was no use to discuss it, and, Mr. Speaker, the committee of conference, I think, went over this ground as thoroughly as they could, and I can say to the House that, according to the report of the Senate conferees, if we adopt this amendment I have proposed and insist on our amendment to No. 15, it will go to the Senate and be adopted and the bill will become a law. It was not giving half and half, as is the rule in so many conferences. It was absorbing nearly everything in the way of appropriations contended for by the House, and everything contended for by the House in the way of legislation.

Mr. LIVINGSTON. Does the gentleman not think the $3,000,000 is ample?

Mr. HULL. No; I do not, after talking with the Secretary of War. I did think so until then, but I do not now.

Mr. HAY. Mr. Speaker, will the gentleman yield me some time?

Mr. HULL. We are reducing the force in the Philippines and bringing them home to the extent of at least 15,000 more men than was anticipated four months ago we could do at this time. This is for taking care of them in the United States. I will yield to the gentleman from Virginia. How much time does the gentleman want?

Mr. HAY. I would like to have about fifteen minutes.

Mr. HULL. I would be glad if the gentleman can get through with ten.

Mr. HAY. I think I can.

Mr. HULL. I will be satisfied with that.

Mr. CLARK. Mr. Speaker, I would like to ask the gentleman from Illinois [Mr. CANNON] if he is going to say anything about this business.

Mr. HULL. Yes; I am going to yield some time to the gentleman from Illinois.

Mr. CANNON. If the gentleman will yield to me just a moment or two now, I will say what I think about it, if it is agreeable to the gentleman from Virginia.

Mr. HAY. That is satisfactory.

Mr. HULL. Then I yield three minutes to the gentleman from Illinois.

Mr. CANNON. Mr. Speaker, the House recollects the commencement of this contention. The instruction of the House ran against the legislation proposed in these amendments. Now, then, the legislation is entirely eliminated from the first amendment. The second amendment does not abound in legislation. It merely fixes the amount to be appropriated. The original estimate was $3,000,000. If this motion prevail, then we will send it to the Senate with an increase of $350,000, making $3,350,000 instead of $4,000,000, which is an increase of $350,000. As to the next amendment, the House amendment which we adopted the other day to 14, as to which I presume the gentleman will move that the House further insist upon its amendment that eliminates the $350,000 appropriation in the last amendment, namely, 15, and eliminates the legislation. Thus is accomplished the contention of the House when it instructed its conferees not to assent to any legislation in connection with these three amendments. It leaves the Senate assenting to the position of the House and the House in every respect vindicating its opinion when the instructions were adopted.

Mr. RICHARDSON of Tennessee. If that is true, I would ask the gentleman why he instructed the conferees in the first place so emphatically not to agree to the $350,000 which he now concedes?

Mr. CANNON. Oh, they were not so instructed at all.

Mr. RICHARDSON of Tennessee. Oh, yes.

Mr. CANNON. Oh, no.

Mr. RICHARDSON of Tennessee. Why, the conferees were instructed——

Mr. CANNON. If my friend will allow me, he is in error. Our conferees were instructed not to agree to any provisions that changed existing law. They were not instructed at all as to the amounts carried in any of the amendments.

Mr. RICHARDSON of Tennessee. Not at all; but the instruction given our conferees was to adhere, which took these amendments out of the conference, not only as to the legislation, but as to the amount.

Mr. CANNON. Oh, no.

Mr. RICHARDSON of Tennessee. I beg the gentleman's pardon, but it said as to 13, 14, and 15 we adhered—the conferees could not consider them.

Mr. CANNON. Oh, no.

Mr. RICHARDSON of Tennessee. Why, of course.

Mr. CANNON. If my friend will allow me, I am speaking of the instructions that were given in the first instance. They were aimed at the legislation in these amendments. They were in no way aimed nor did they cover the amount of money carried by these amendments. They were against the legislation originating in the Senate. Now, then, that covers the whole contention upon the part of the House. The other day the House did adhere to two of these amendments, but amended the other amendments. The Senate receded from one of the three and the other two are yet undisposed of; but the gentleman now states a situation by which it is patent to the House that its contention against legislation upon this bill is complied with by the Senate and by the House and at the same time the appropriation is decreased $1,000,000.

Mr. HULL. I yield ten minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I yield three minutes to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON of Tennessee. Mr. Speaker, I only want a moment in which to say that this is a square and complete back down on the part of the conferees on the part of the House and on the part of the House itself, if the motion prevails, from its position first taken in this matter. We may disguise it as we will, but by our former action we took these three amendments 13, 14, and 15, out of the conference, and the House of Representatives, under the leadership of my friend from Illinois, followed unanimously by this side of the House, said to these conferees by way of instructions: "You shall not consider these amendments, 13, 14, and 15. We adhere to those amendments, and if the Senate will not consent to give them up the bill shall fail."

Now, that is the position. It is no use at this time to go through all the different forms of legislation that have been pursued—first, the Senate ignoring our request for a conference, the House ignoring the request for a conference from the Senate, etc. We come at last to the point that the proposition was squarely met; that the Senate is to have its way substantially as to amendments 14 and 15, although not entirely, but it does give up amendment 13.

Mr. Speaker, the House of Representatives said it would not consent to that. Now, it is proposed to abandon that position and

to consent. So far as I am concerned, I am not ready to do it. That is all I wish to say.

Mr. CANNON. If my friend will allow me to read the instructions, this is what they were——

Mr. HULL. The gentleman from Virginia [Mr. HAY] has the floor unless he yields.

Mr. HAY. I want to make my statement and then I will yield.

Mr. CANNON. It ought to come in right here.

Mr. HULL. If the gentleman wants this to come in here so he can answer, I will yield to the gentleman from Illinois, and not take the time out of the time of the gentleman from Virginia.

The SPEAKER. How much time does the gentleman from Illinois desire?

Mr. CANNON. I only want a minute.

Mr. HULL. I yield two minutes, if the gentleman wants it, simply to read the instructions.

Mr. CANNON. This was the instruction on the part of the House. I hope the House will give me its attention:

Resolved, That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 12804 are instructed—

Now listen—

not to recommend an agreement to said amendments numbered 13, 14, and 15 or to any modification thereof that will, under authority of said Army appropriation act, permit the expenditure of any sum for the construction of permanent buildings at established military posts except as authorized by section 1136 of the Revised Statutes.

There is the instruction; it speaks for itself, and the proposed arrangement by the gentleman from Iowa absolutely complies with it.

Mr. HAY. Mr. Speaker, when this question first came before the House I did not think it was right that the House conferees should be instructed in advance, and I voted with the gentleman from Iowa [Mr. HULL]. The ground upon which the gentleman from Illinois put these instructions, or one of them, taken up and followed out by the gentleman from Tennessee [Mr. RICHARDSON], was that the Senate was increasing beyond what was necessary the appropriation for barracks. Now, the Secretary of War made the estimate upon the idea of an army of 87,000 men, for $3,000,000 for barracks and quarters, not for the Philippines, but for this country.

That estimate was incorporated into the Army appropriation bill in the House. When it went to the Senate, without any further estimate being sent by the Secretary of War, without any official communication whatsoever from the War Department, that appropriation was increased by $4,000,000, and when it came back here the gentleman from Illinois [Mr. CANNON] dwelt particularly upon this increase. He talked about the duplication of appropriations and about the large amount that the Senate was putting upon this bill, and members upon this side voted with him, not because they were fearful of taking from him the jurisdiction of which he was so jealous, but because they thought they were preventing a large appropriation from getting upon this bill when it was not necessary for it to be there.

Now, the various appropriations which have been made for barracks and quarters amount to $7,000,000, all that the Department has asked for—$2,000,000 in the Philippines, $2,000,000 in the sundry civil bill, and $3,000,000 for these barracks and quarters, of which not more than $20,000 can be expended upon any one of them. Now, we are asked to add $350,000 to this appropriation. Why? Not because it is needed, not because the War Department can not get along without it, but because we must do something to heal the wounded feelings of the Senate of the United States. Now, that is the whole of it, and that is all of it. The gentleman from Iowa a moment ago said that Senator COCKRELL said that if we did not agree to this $350,000, the bill could die, so far as he was concerned.

Mr. RICHARDSON of Tennessee. Is not that exactly what the gentleman from Illinois [Mr. CANNON] and the gentleman from Pennsylvania [Mr. DALZELL] have said in respect to this amendment that they put on?

Mr. HAY. Unquestionably.

The SPEAKER. The Chair will call the attention of the gentleman from Virginia to the parliamentary rule that members of the other House can not be named in debate.

Mr. HAY. The gentleman from Iowa named him.

Mr. HULL. I did not.

Mr. HAY. The gentleman said the Democrat on the conference committee, which is the same thing.

The SPEAKER. The Chair will state to the gentleman that when a member uses the name of a member of the other House the Chair will promptly call him to order. The Chair knows that the gentleman will be glad to comply with the rule.

Mr. HAY. If I have not complied with the rule I am sorry, but it is the same thing and it makes no difference. I say that the whole point of this amendment is to heal the wounded feelings of the Senate because this House saw fit to instruct us in regard to this amendment. I never had any question of the right of the House to instruct its conferees.

I did not think it was courteous to the conferees, but it was not because it would hurt the feelings of the Senate that I had any scruples about it; because the House has that right, and has the right to exercise it at any time; and I say that gentlemen accepting this compromise, if they are willing to vote for the motion of the gentleman from Iowa are receding from what they did, and they are receding from what the gentleman from Illinois and the gentleman from Pennsylvania said they never would recede from. If they want to do it, it is all right; but they ought to do that with the knowledge of the fact that it is done, not because we need the $350,000 for these Army posts, but it is because we are doing something to heal the wounded feelings of the Senate. For one, I shall vote against the motion of the gentleman from Iowa.

Mr. HULL. Mr. Speaker, just one word in conclusion. There is no principle of surrender involved on the part of the House on a single question we have been instructed upon. There is no yielding on the part of the House on any principle that has been at issue between the Senate and the House. There is simply an increase of $350,000, and that only in this one case of barracks or quarters. The Senate yields $1,350,000 of its amendment, and my motion would make the House yield only $350,000.

Mr. CLARK. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Missouri?

Mr. HULL. For a question only.

Mr. CLARK. I want to ask you a question. If you were right then, what was the sense of the gentleman from Illinois getting up that hullabaloo and having that extraordinary committee appointed?

Mr. HULL. That was simply a question raised by an instruction which changed the legislation, which he claimed then would make a duplication of accounts. This amendment, if my motion shall be adopted bringing the House to an agreement, does not lead to any duplication of accounts, because it secures the same line of demarcation in this bill as we have had heretofore, as the gentleman from Illinois stated in his remarks a few moments ago. Now, on the question raised by the gentleman from Virginia, that the estimates were only $3,000,000. That is true. The estimates were made up last September. It was estimated that at that time at least 35,000 troops should be kept in the Philippine Islands.

Subsequent events have developed that we can bring a much larger number home, at least 12,000 more troops will be brought to this country in the next two or three months than it was formerly thought would be possible. They will have to be cared for at these posts. The only way to care for them is to provide enough for barracks and quarters to make them comfortable, and the gentleman objects. The Democratic party in this matter is simply following its uniform rule of opposing everything that would benefit the Army of the United States. I demand the previous question.

Mr. HAY. The gentleman is not correct in that statement.

Mr. HULL. I move the previous question.

Mr. RICHARDSON of Tennessee. We followed the gentleman from Illinois.

The SPEAKER. The gentleman from Tennessee is not in order.

Mr. RICHARDSON of Tennessee. I ask the gentleman if he will yield?

Mr. HULL. No; I do not.

Mr. RICHARDSON of Tennessee. The gentleman has intentionally misrepresented this side of the House.

The SPEAKER. The gentleman will suspend until he has consent.

Mr. RICHARDSON of Tennessee. The gentleman has intentionally misrepresented this side of the House.

The SPEAKER. The gentleman from Tennessee is not in order. Does the gentleman yield to the gentleman from Tennessee?

Mr. HULL. I yield one minute to the gentleman.

Mr. RICHARDSON of Tennessee. Then, I say we followed the leadership of the gentleman from Illinois in this opposition, and now the gentleman says that the Democratic side was opposing something for the benefit of the Army. He should read that lecture to the gentleman from Illinois. [Applause on the Democratic side.]

The SPEAKER. The gentleman demands the previous question.

Mr. CANNON. I ask the gentleman to yield to me for thirty seconds?

Mr. HULL. I yield one minute to the gentleman from Illinois, and then I will yield one minute to the gentleman from Virginia.

Mr. CANNON. Mr. Speaker, it seems to me there is no chance for disagreement about this matter. I say that the contention of the House in the beginning by this arrangement is sustained. Now, then, touching the amount that is involved, I see no politics in it. I think we could get along very well without the $350,000,

and still I am inclined to allow them the $350,000 over the estimates on the statement of the gentleman.

Mr. RICHARDSON of Tennessee. Then I ask the gentleman, if there is no politics in it, why the gentleman from Iowa should have assailed the Democratic side for following your leadership?

The SPEAKER. The gentleman does not yield.

Mr. RICHARDSON of Tennessee. The gentleman yielded by bowing.

The SPEAKER. The gentleman should wait until request has been made.

Mr. HULL. I yield one minute to the gentleman from Virginia.

Mr. HAY. Mr. Speaker, the statement made by the gentleman from Iowa [Mr. HULL] that I have ever in my whole service in this House been in any way opposed to taking care of the Army is absolutely untrue, and the statement that the Democratic party has done anything against the Army or has spoken against it or taken any steps which would reflect upon it, is a slander to which gentlemen on that side resort only that they may obtain some cheap capital in the coming Congressional campaign. [Great applause on the Democratic side.]

Mr. HULL. I now yield one minute to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I rise for the same purpose as did the gentleman from Virginia. I deny that my action in the committee or in the House in connection with Army legislation has been controlled by politics. I think that when my friend who is chairman of the committee, who is usually both fair and courteous, ceases to be blinded by passion he will at least recall what he has just now said, and I appeal to him, as a fair and honest-minded man, to say if he believes that my action in connection with military legislation, in the committee or in the House, has ever been controlled by dishonest or unworthy motives. I deny his statement absolutely so far as it was applied to me. [Applause on the Democratic side.]

Mr. HULL. Mr. Speaker, I referred to the party and not individuals, and now I will refer gentlemen on the other side to the last speech made in this House by the late Hon. Amos J. Cummings. I now move the previous question.

The previous question was ordered.

The SPEAKER. The question now is on receding from the adherence to the disagreement and agreeing to the amendment with an amendment.

The question was taken; and on a division (demanded by Mr. HAY) there were—130 ayes and 70 noes.

So the motion of Mr. HULL was agreed to.

Mr. RICHARDSON of Tennessee. Our leader, Mr. CANNON, having abandoned us, we shall refuse to follow him any further. [Laughter.]

Mr. HULL. Mr. Speaker, I move that the House further insist on its amendment to the Senate amendment 15.

The SPEAKER. The gentleman from Iowa moves that the House further insist on its amendment to the amendment No. 15.

The motion was agreed to.

On motion of Mr. HULL, a motion to reconsider the several votes just taken was laid on the table.

CONFERENCE REPORT ON NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to call up the conference report on the naval appropriation bill, and I ask that the reading of the report be omitted and that the statement only be read.

The SPEAKER. The gentleman from Illinois, chairman of the Committee on Naval Affairs, asks unanimous consent that the reading of the report be omitted and that the statement only be read. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the statement of the House conferees, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14046) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments of the Senate, viz:

On Nos. 2, 3, 53, 68, 70, 71, 73, 74, 75: Changes name of naval cadets to that of midshipmen.

On No. 4: Authorizes the accounting officers of the Treasury, as proposed by the Senate, to allow in the settlement of the accounts of disbursing officers payments under the appropriation of emergency fund to civilian employees doing duty at naval stations in our insular possessions during the coming fiscal year and until such time as Congress shall make specific appropriation for the pay of such employees.

On No. 5: Authorizes the Secretary of the Navy, as proposed by the Senate, to pay all civilian employees in our insular possessions a per diem compensation corresponding to their pay while actually employed from the date of their sailing from the United States and while returning to the United States.

On No. 6: Strikes out the appropriation of $13,975, as proposed by the Senate, for renting, heating, and lighting an additional building.

On No. 8: Directs the Secretary of the Navy, as proposed by the Senate, to appoint a board of naval officers to select a site for a naval training station on the Great Lakes and make report to Congress of its action, and to defray the expenses of said board appropriates $5,000.

On No. 10: Strikes out the appropriation of $1,400 for a clerk at Cavite, P. I., as proposed by the Senate.

On No. 11: Reduces the total appropriation under the civil establishment of the Bureau of Ordnance by $1,400, as proposed by the Senate.

On No. 12: Inserts the provision enabling the Secretary of the Navy to purchase necessary land for coal depots, $640,000, and authorizes the accounting officers of the Treasury to allow all expenditures heretofore made for land purchased for use as naval coal depots out of said appropriation, as proposed by the Senate, but strikes out the provision, as proposed by the Senate, for a reappropriation of unexpended balances made for the establishment of naval coal depots.

On No. 14: Appropriates $200, as increase to the salary of one clerk at the navy-yard, Portsmouth, N. H., as proposed by the Senate.

On No. 15: Corrects the total of paragraph by said amount.

On Nos. 16, 17, and 18: Changes the form of expression of two writers, as proposed by the Senate, but does not increase the appropriation.

On Nos. 19 and 20: Changes form of expression, as proposed by the Senate, but does not change the appropriation.

On No. 21: Inserts one clerk in charge of distribution of books, at $1,200.

On No. 22: Changes the total of said paragraph to correspond with above increase.

On No. 23: Changes the total appropriation in the civil establishment, Bureau of Equipment, to conform to the above increase.

On No. 27: Appropriates $60,000 for the completion of building No. 19, and $1,500 for an extension to dispensary building in New York Navy-Yard.

On No. 28: Changes totals in appropriations for New York Navy-Yard in accordance with the above.

On No. 29: Authorizes the Secretary of the Navy in his discretion to condemn a certain tract of land, or so much thereof as may be necessary, adjacent to the Norfolk Navy-Yard, and to report such proceedings to the next session of Congress.

On No. 30: Appropriates $25,950 to complete the purchase of land already condemned and partially appropriated for at Key West, Fla.

On No. 31: Changes the totals in appropriations for naval station at Key West, Fla.

On Nos. 32 and 33: Increases the appropriation from $2,000 to $4,000, or so much as may be necessary, as proposed by the Senate, for additional land at the navy-yard, Puget Sound, Washington.

On No. 34: Changes the totals in appropriations for navy-yard, Puget Sound, Washington, to conform to above.

On No. 35: Strikes out unnecessary language, as proposed by the Senate.

On No. 36: Changes form of expression, as proposed by the Senate.

On No. 41: Strikes out appropriation of $150,000 for improving harbor at San Luis d'Apra, island of Guam, as proposed by Senate.

On No. 42: Inserts caption, "Plans and specifications for public works," as proposed by the Senate.

On No. 44: Strikes out appropriation of additional $100,000 for naval hospital, Naval Academy, as proposed by the Senate.

On No. 45: Inserts provision, as proposed by the Senate, permitting the Secretary of the Navy, in his discretion, to continue improvements at the Naval Academy, either by contract or by day labor, or both, as he may deem necessary for the best interests of the Government.

On No. 48: Strikes out additional appropriation of $5,000 for Naval Observatory, as proposed by the Senate.

On No. 49: Strikes out appropriation of $2,000 for expenses of board of visitors to the Naval Observatory, as proposed by the Senate.

On No. 50: Authorizes an increase of 1,000 copies of the American Ephemeris and Nautical Almanac for the use of the Senate and House of Representatives and Navy Department, as proposed by the Senate.

On No. 51: Authorizes appropriation of $30,000, as proposed by the Senate, for repairs and improvements on buildings and construction of a contagious disease hospital at Mare Island, Cal.

On Nos. 54 and 55: Insert the word "each," as proposed by the Senate, a verbal omission.

On No. 59: Strikes out appropriation of $3,800, as proposed by the Senate, for clerks at naval station, Cavite, P. I.

On No. 60: Strikes out increase in total appropriations, as proposed by the Senate, civil establishment, Bureau of Construction and Repair.

On No. 62: Inserts provision, as proposed by the Senate, allowing appropriation for incidental expenses to be applied to the Bureau.

On No. 63: Strikes out appropriation of $1,000, as proposed by the Senate, for contingencies, drawing materials, and instruments for the drafting room of the Bureau of Steam Engineering.

On No. 65: Strikes out appropriation of $1,200, as proposed by the Senate, for one writer at naval station, Cavite, P. I.

On No. 66: Strikes out the increase in total appropriations, as proposed by the Senate, for naval establishment, Bureau of Steam Engineering, to conform to the above.

On No. 67: Strikes out appropriation for $1,000 for an assistant librarian at Naval Academy.

On No. 69: Strikes out increase in total appropriations, as proposed by the Senate, for Naval Academy to conform to above.

On No. 72: Inserts a provision, as proposed by the Senate, for extending the use of the appropriation of $3,000 for clerk hire, carriages, and other incidental and necessary expenses of the Board of Visitors at Naval Academy.

On No. 78: Strikes out increase in totals of appropriations for Naval Academy, as proposed by the Senate.

On No. 79: Restores sections 8, 9, and 10 of the act approved March 3, 1899, entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States."

On No. 80: Inserts a provision that the present Commandant of the Marine Corps shall have the rank, pay, and allowance of a major-general in the Army, but this shall not extend to his successor or successors.

On No. 81: Increases the appropriation, as proposed by the Senate, for the pay of noncommissioned officers, musicians, and privates, and for the expenses of clerks of the United States Marine Corps from $1,112,548 to $1,236,028.

On No. 82: Adds to the enlisted force of the Marine Corps now authorized by law, as proposed by the Senate, 10 gunnery-sergeants, 40 sergeants, 60 corporals, 10 drummers, 10 trumpeters, and 620 privates.

On No. 83: Increases the appropriation for "Provisions, Marine Corps," as proposed by the Senate, from $396,071.50 to $445,071.50.

On No. 84: Increases the appropriation for "Clothing of the Marine Corps" from $40,000 to $82,000.

On No. 85: Increases the appropriation for "Military stores," as proposed by the Senate, from $40,297 to $50,297.

On No. 86: Increases the appropriation for "Transportation and recruiting the Marine Corps," as proposed by the Senate, from $100,000 to $110,000.

On No. 87: Increases the appropriation for "Contingent, Marine Corps," as proposed by the Senate, from $91,700 to $103,700.

On No. 90: Inserts a provision, as proposed by the Senate:

"All contracts of the Carnegie Steel Company, Limited, heretofore made between it and the United States, shall be completed by its successor—the Carnegie Steel Company or its lawful successor—which has acquired and assumed, or may acquire and assume, all of its assets and all of its liabilities

under the said contracts. And the said Carnegie Steel Company, or its lawful successor, upon giving security in proper form and amount, conditioned for the performance by it of the said contracts according to the true intent and meaning thereof, shall be substituted therein for the said Carnegie Steel Company, Limited, and be entitled to exercise all rights thereunder which the said Carnegie Steel Company, Limited, had or would have had if it had continued in existence."

The committee of conference have been unable to agree on the following amendments, viz:

On No. 1, relating to total appropriation for the pay of the Navy.

On Nos. 7 and 13, relating to the "Maintenance of colliers," as to whether this provision should be under the jurisdiction of the Bureau of Navigation or the Bureau of Equipment.

On No. 9, as to whether the unexpended balances remaining in the Treasury on June 30, 1902, from the appropriation for "Ordnance and ordnance stores, 1900, or so much thereof as may be necessary," should be reappropriated for expenditure in the fulfillment of contracts heretofore made and properly chargeable to said appropriation.

On No. 24, as to the increase in the corps of civil engineers.

On Nos. 25 and 26, as to an appropriation of $500 for making an examination concerning the furnishing water supply of Portsmouth Navy-Yard, and an appropriation of $200,000 toward the removal of Hendersons Point, near said navy-yard.

On Nos. 37, 38, 39, and 40, as to appropriations to the amount of $657,300 for naval station at Charleston, S. C.

On No. 43, as to total appropriations in all for public works, Bureau of Yards and Docks.

On No. 46, as to the appropriation of $100,000 for the construction of a building for Bureau of Equipment at Pensacola Navy-Yard.

On No. 47, as to the total appropriation for public works, Bureau of Ordnance.

On No. 52, as to the increase in the corps of surgeons.

On No. 56, as to an appropriation of $2,000 for one bookkeeper and one clerk at Pensacola Navy-Yard.

On No. 57, as to increase in total appropriations for civil establishment, Bureau of Supplies and Accounts.

On No. 58, as to the increase in the Pay Corps.

On No. 61, as to the increase in the corps of naval constructors.

On No. 64, as to an appropriation of $200,000 toward the construction of an experimental station and testing laboratory in the department of marine engineering and naval construction at Annapolis.

On No. 76, as to an increase in the corps of midshipmen at the Naval Academy.

On No. 77, as to a provision authorizing all examinations for admission to the Naval Academy to be held at Annapolis.

On No. 88, as to an appropriation of $1,500 for improvements at the marine barracks, navy-yard, Boston.

On No. 89, as to changes in the amount of total appropriations for public works, Marine Corps.

On No. 91, as to "Increase of the Navy" and the method of construction of new ships authorized, whether they shall be built by contract or some in Government navy-yards, or the whole subject be left within the discretion of the Secretary of the Navy.

On No. 92, as to the provision requiring the Secretary of the Navy to contract for five more Holland torpedo boats at a cost of $170,000 each, after the acceptance of one of said boats now being built for the Government.

On No. 93, as to a provision authorizing the Secretary of the Navy to have tested any completed submarine boats or boats other than the *Holland* type, and purchase, in his discretion, one of the same, if found to be equal or superior to the best submarine torpedo boat then in use in the Navy, at a price not to exceed $170,000.

The bill as passed by the Senate appropriated $79,351,258.13, being an increase of $1,731,305 over the amount carried as it was passed by the House. Of this sum, the committee of conference recommend that $179,375 be stricken out and that $371,130 be agreed to.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
ADOLPH MEYER,
Managers on the part of the House.

[For conference report, see page 7264.]

Mr. FOSS. Mr. Speaker, I would state that this report leaves in disagreement certain Senate amendments, particularly the increase in the different staff corps in the Navy; the question of the maintenance of colliers, whether that provision should be under the jurisdiction of the Bureau of Navigation or under the Bureau of Equipment; the question as to the construction of our ships, whether they should be built in the Government navy-yards or by private contract or by both, and also the further question as to the Holland submarine torpedo boats. These matters are in disagreement. Now I will move that the report be adopted.

The SPEAKER. The question is on agreeing to the conference report.

Mr. FOSS. Mr. Speaker, I will yield to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. I notice the conferees have agreed on the amendments 80 and 82. Eighty is an amendment providing for the increase of the rank of Brigadier-General Heywood to that of major-general. No. 82 increases the Marine Corps. There were quite a number of amendments increasing other corps of the Navy, and I wanted to ask the gentleman if there was any reason why the conferees should have agreed to increasing the Marine Corps and not passing upon the other corps?

Mr. FOSS. If the gentleman will notice, the increase is in the number of privates, 620, and in the petty officers; not in higher officers of the corps, as was considered in the committee.

Mr. RIXEY. There is an increase in the rank of General Heywood?

Mr. FOSS. The Senate was very insistent on the increase in his rank, but that was not to apply to his successor. It was simply done as a reward to General Heywood, who had been in charge of the Marine Corps during the Spanish war, and at the same time is a soldier of the civil war.

Mr. RIXEY. I will state to my friend that I was under the impression that the increase in all the corps was not to be consented to, but should be considered by the House Naval Committee and a special bill brought in for all the corps.

Mr. FOSS. That was the general understanding, as to the increase in the number of lieutenants, of captains, lieutenant-colonels, or colonels of course that would apply.

The SPEAKER. The question is on the motion of the gentleman from Illinois to agree to the conference report.

The question was taken and the report agreed to.

Mr. FOSS. Now, Mr. Speaker, as to these amendments which are in disagreement, I understand that my colleague upon the committee desires a vote upon 92, I think, and 93, with reference to the increase in the number of Holland torpedo boats. If there are no other votes demanded, I desire to make a motion.

Mr. RIXEY. Mr. Speaker, if the gentleman will yield, I think we had about as well dispose of the question of the increase of cadets at Annapolis. It seems to me that we can agree on something very near to the amendment of the Senate, unless he prefers to have that go back to conference. I will leave it, however, to the chairman of the committee.

Mr. FOSS. I would suggest to the gentleman that we go back to conference on that provision.

Mr. RIXEY. Very well, Mr. Speaker; I shall not insist upon it.

Mr. FOSS. Now, Mr. Speaker, as to all amendments, except 92 and 93, referring to submarine boats, namely, Nos. 1, 7, 9, 13, 24, 25, 26, 37, 38, 39, 40, 43, 46, 47, 52, 56, 57, 58, 61, 64, 76, 77, 88, 89, and 91, I move that the House insist upon its disagreement to the Senate amendments.

The SPEAKER. Is a separate vote demanded upon any other amendments than 92 and 93? [After a pause.] The Chair hears no such demand. Without objection, then, the vote will be put in gross. The question is on the motion of the gentleman from Illinois that the House insist upon its disagreement to these amendments of the Senate.

The question was taken, and the motion agreed to.

Mr. FOSS. Mr. Speaker, I yield to my colleague for the purpose of making a motion.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House recede from its disagreement to Senate amendments 92 and 93, and concur therein.

The SPEAKER. Is a separate vote demanded on the amendments 92 and 93?

Mr. HILL. Mr. Speaker, I would like to have the amendments read.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

(92) Additional submarine boats: That the Secretary of the Navy is hereby authorized and required to contract with the Holland Torpedo Boat Company for five of its most improved type of submarine torpedo boats, to be built under the plans and specifications of said company, at a cost not to exceed the price contracted to be paid for the Holland boats now being built for the Navy Department: *Provided*, That no contract shall be made with the said company until one of the Holland boats now being built for the Department shall have been accepted by the Secretary of the Navy.

(93) That the Secretary of the Navy is authorized to have tested any completed submarine boat or boats, other than the Holland type, that may be presented to him for trial within six months after the passage of this act, and if he shall find by said tests that any of the said boats, if one or more than one is presented, shall be equal or superior to the best submarine torpedo boat which shall then be in use in the Navy, he is authorized, in his discretion, to purchase the best one of the said boats at a price not to exceed $170,000.

The SPEAKER. The gentleman from New Jersey moves in respect to these two amendments that the House recede from its disagreement and concur in the amendments.

Mr. FOSS. Mr. Speaker, we desire separate votes upon these propositions, and I want to ask my colleague if he desires any time for discussion.

Mr. WHEELER. Do I understand that the gentleman from Illinois demands a separate vote?

Mr. FOSS. Yes.

Mr. LOUDENSLAGER. Mr. Speaker, there are some members who desire to discuss this matter. How much time does the gentleman think will be proper?

Mr. FOSS. Inasmuch as the gentleman will take the affirmative of the proposition, I would ask him.

Mr. LOUDENSLAGER. Well, the gentleman controls the time. I would say that I think we ought to have half an hour on a side. I understand the desire of members in charge of the Philippine bill to be to get along with that bill as quickly as possible. I have no desire to block them in their progress whatever, and I would think thirty minutes on a side would be ample. This matter has been very well ventilated in hearings before the committee, and I might say frankly to the gentleman that I believe the members of the House are very conversant with the subject. Unless he himself, having control of the time, desires to consume any of it in opposition to this amendment, we upon the affirmative have no desire to take up any of the time of the House in opposition to the progress of the Philippine measure.

The SPEAKER. The Chair would ask the gentleman from Illinois to what his demand for a division applies, whether as to the motion of the gentleman or of the two sections?

Mr. FOSS. Of the two sections.

Mr. HILL. Mr. Speaker, I make the point that I shall demand a division of the vote to recede and concur.

The SPEAKER. The gentleman demands a division, then, on the motion of the gentleman from New Jersey.

Mr. HILL. Yes.

Mr. FOSS. Mr. Speaker, I would suggest to my colleague that, inasmuch as some gentlemen here desire to discuss the proposition, we take half an hour on a side and then come to a vote.

The SPEAKER. Under the demands made, the first question will be on receding from the House disagreement to amendment 92. Was any agreement reached as to time?

Mr. LOUDENSLAGER. Half an hour on a side.

The SPEAKER. That will have to be referred to the House, unless that can be done within the hour.

Mr. LOUDENSLAGER. That can be done within the hour.

The SPEAKER. Does the gentleman from Illinois [Mr. FOSS] yield half an hour to the gentleman from New Jersey?

Mr. FOSS. I would like to ask unanimous consent that we have debate on this proposition for one hour—thirty minutes to be controlled by the gentleman from New Jersey [Mr. LOUDENSLAGER] and thirty minutes by myself.

The SPEAKER. Is there objection?

Objection was made.

The SPEAKER. How much time does the gentleman from Illinois yield out of his hour to the gentleman from New Jersey?

Mr. FOSS. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has an hour on this motion.

Mr. FOSS. Then I yield to my colleague thirty minutes.

Mr. LOUDENSLAGER. I yield fifteen minutes of the time allotted to me to my colleague from North Carolina [Mr. WILLIAM W. KITCHIN].

Mr. WILLIAM W. KITCHIN. Mr. Speaker, these amendments of the Senate on which the gentleman from New Jersey has made this motion to recede and concur pertain to the submarine torpedo boats. It is a question for this House to decide whether we shall have more submarine torpedo boats than we now have, and if we are going to have them, whether we are going to authorize them by this bill. As for myself, I believe the submarine torpede boat is an effective machine for the defense of our harbors. Before our committee two years ago Admiral Dewey spoke highly of the effectiveness of the torpedo boats, especially in regard to the moral effect the presence of a torpedo boat would have upon an enemy approaching a harbor. If there had been two torpedo boats in Manila Harbor and Admiral Dewey and his men had known of their presence there the American fleet would never have entered that harbor. No commander of a fleet will take his fleet into a harbor where he knows there are submarine torpedo boats, for the plain reason that he knows there would be a strong probability of his battle ships being blown up and hundreds of lives destroyed, and if that should occur that he would be written down in history as a reckless man, and would be censured by all the world for such a reckless and needless risk of human life.

Another thing: For the cost of one battle ship we can have enough submarine torpedo boats constructed, according to estimates furnished by a Navy Department official, to give each harbor on the Atlantic coast and each harbor on the Pacific coast two submarine torpedo boats. In other words, we could furnish ample and, I believe, complete protection to every harbor on the United States coast—the old United States, over which the Constitution is, I mean—by means of these torpedo boats. A battle ship costs six or seven million dollars. That amount of money will buy 60 or 70 of these torpedo boats at $100,000 apiece, and we could distribute these among our harbors of the old United States and have ample protection against any hostile fleet that might wish to attack us.

But some one may say that these men who furnish the torpedo boats want to charge the United States an exorbitant price. Why, Mr. Speaker, that is a question of detail with which the Department may struggle under the provisions of these Senate amendments. Those who have invented these torpedo boats should have fair profit; but they should not be allowed to "gouge" the Government unduly. This amendment puts it in the power of the Secretary of the Navy to make contracts, and he should not permit a gouge to be made. We ought to get these boats at reasonable prices; and we can do so if this House is in favor of the proposition. Congress can authorize or limit the cost at a smaller sum than that in the Senate amendment. The question now is not as to the price particularly, but whether we shall have more torpedo boats as a means of defense. I favor reducing the price.

Of course, Mr. Speaker, we all admit that the great strength of the Navy is its battle ships, its protected cruisers, and its armored cruisers. The submarine torpedo boat is not an offensive weapon in the first instance, but it is a very complete and very effective weapon of defense. Now, the question for this House to settle this morning is whether if you believe that the torpedo boat furnishes an effective defense for a harbor, and if you believe that you can protect every harbor in the United States by means of a torpedo boat at a cost not exceeding the cost of one great battle ship, then the question is whether it is not good judgment, whether it is not good business policy, to authorize the construction of more of these torpedo boats and thus have this cheap and effective defense to our harbors.

Down in my State the greatest seaport town in North Carolina has petitioned the Secretary of the Navy and indirectly this Congress to furnish torpedo boats for the defense of the harbor of Wilmington. There are those who object to submarine boats. A little torpedo boat, carrying only a very few men, offers no striking inducement for a naval officer to seek command of it. If you leave the matter to the naval officers, eliminating the question of price, they will say that we need great battle ships. But here is a question of utility and economy that appeals to my judgment. I believe that this country ought to have more of these submarine torpedo boats. Other nations have them. We ought not to allow our coast to remain undefended when we can defend it so effectively and cheaply by this means. The defense of our harbors by these submarines will obviate the necessity for so many boats costing vastly more money.

Mr. Speaker, how much time have I remaining?

The SPEAKER. Eight minutes.

Mr. WILLIAM W. KITCHIN. I yield four minutes to the gentleman from Missouri [Mr. COWHERD].

Mr. COWHERD. Mr. Speaker, I do not know whether a non-expert has a right to any opinion upon questions of this character; but as long as the Naval Committee of the Senate disagrees with the Naval Committee of the House, and as long as the members of the Naval Committee of the House themselves can not get together upon the proposition, it seems to me that probably some of us who know very little about it should have a right to express our opinion in regard to the matter.

I have on two occasions seen these boats perform. On one occasion I had the pleasure of taking a dive in one, and it seems to me that this boat has effectually solved the question of submarine navigation. It is a boat that can be controlled at will; that can rise and sink at pleasure; that can rise and fire a torpedo and sink again out of sight within less than ten seconds; a boat that, even when it rises for observation or to discharge a torpedo, exposes only a small portion of the turret as a target for the enemy's guns; and even in a smooth sea a moving target exposed only a few inches above the water and exposed for only a few seconds would be secure from harm, though fired upon by the best of gunners.

Mr. STEELE. I should like to ask the gentleman a question for information.

The SPEAKER pro tempore. Does the gentleman from Missouri yield to the gentleman from Indiana?

Mr. COWHERD. For a question.

Mr. STEELE. My friend says that he has been on board one of these boats. Now, I should like to ask him if one of them was about to go into action, in practical use, and was about to fire a torpedo into an opposing ship, would the gentleman want any of his friends to go down in one?

Mr. COWHERD. I will say this, that I had far rather go in one of these boats to attack a battle ship than to go in an ordinary torpedo boat, or a torpedo-boat destroyer, or in the battle ship itself. It seems to me that, as far as security is concerned, the man in the submarine torpedo boat has a very great advantage over the man in the ship that is on the surface of the water.

Mr. SHATTUC. Do you think that when they were in action you would want to go in any of them?

Mr. COWHERD. Oh, I am not looking for that kind of a job. Like my friend from Ohio, I would a good deal rather fire off discharges with my mouth than from a torpedo tube. Men of high rank in the Navy tell me that we must have every new invention adopted by any other nation on earth, and that we ought to have it among the first of the nations of the earth, not alone for the benefits that come from actual use, but the advantages of intimidation that comes from its possession; and so far the torpedo has been more effectual as a threat than a weapon. Now, the other nations are adopting these boats, and I believe we should keep pace with them. It is said that this invention is only satisfactory in defensive warfare, but I submit to this House that if our Navy had possessed one of these boats when it was lying outside of the harbor of Santiago for more than thirty days in the broiling sun, waiting for an opportunity to attack the Spanish fleet, we would only have needed to carry one of those boats there and send it into the harbor to have blown up all the ships of the Spanish navy without danger of loss on our own part.