

By Mr. LANDIS: Petition of Edward F. Beall, of Frankfort, Ind., and heirs at law of L. C. Beall, deceased, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LAWRENCE: Petition of John T. Harper and others, of Great Barrington, Mass., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. MAHONEY: Petition of the Searle & Hereth Company, favoring the Loring drawback customs bill—to the Committee on Ways and Means.

By Mr. NEVIN: Paper to accompany House bill granting an increase of pension to Samuel Rollins—to the Committee on Invalid Pensions.

By Mr. PAYNE: Resolutions of the Auburn (N. Y.) Business Men's Association, asking for appropriate legislation for the Territory of Alaska—to the Committee on the Territories.

By Mr. ROBERTS: Resolutions of the city government of Chelsea, Mass., to place beef and coal on the free list—to the Committee on Ways and Means.

By Mr. RYAN: Petition of the New York Produce Exchange, favoring the passage of certain bills to increase the jurisdiction and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of H. P. Werner and 62 other citizens of Buffalo, N. Y., favoring House bill 178—to the Committee on Ways and Means.

By Mr. SIBLEY: Resolution of the Presbytery of Erie, Pa., favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. HENRY C. SMITH: Petition of S. M. Sackett and six other druggists of Monroe, Mich., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: Papers relating to the claim of W. H. Bucklin—to the Committee on War Claims.

By Mr. TRIMBLE: Paper to accompany House bill for increase of pension of Samuel D. McMeekin—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill granting an increase of pension to George W. Boyer—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to John T. Cotton—to the Committee on Invalid Pensions.

Also, papers to accompany bill for a pension to James M. Blades—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to John Ripperdan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Frederick Baker—to the Committee on Invalid Pensions.

By Mr. YOUNG: Circular of George Marshall in relation to readjusting the currency—to the Committee on Banking and Currency.

Also, petition of D. G. Nesbit and other delegates of Grand Army of the Republic posts in relation to pensioning ex-prisoners of war—to the Committee on Pensions.

SENATE.

MONDAY, January 19, 1903.

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

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

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

POTOMAC RIVER HIGHWAY BRIDGE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from Lieut. Col. Charles J. Allen, Corps of Engineers, recommending, for reasons stated, that the time for completing the highway bridge across the Potomac River in the city of Washington, D. C., be extended to February 12, 1906; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

MAIL CONTRACTS PRIOR TO MAY 1, 1861.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting a number of items and the total amount due individuals for carrying mails prior to May 1, 1861, in cases where the Confederate records failed to show payment by the Confederate Government; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting copies of the reports of its inspectors showing the conditions and defects of train or power brakes on certain railroads of the United States; which, with the accompanying papers, was referred to the Committee on Interstate Commerce, and ordered to be printed.

FRENCH SPOILATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Olive Branch*, Jonathan Moulton, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Industry*, J. Lambert, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

HARRIETT MILES.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings filed by the court in the cause of Harriett Miles v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MATHILDA M. FAIREX.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings filed by the court in the cause of Mathilda M. Fairex, administratrix of Daniel Fairex, deceased, v. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings filed by the court in the cases of Angeline Bibber, administratrix of Charles Bibber, deceased, and sundry other claimants v. The United States; Sarah A. McMurtrie, widow of Daniel McMurtrie, deceased, and sundry other claimants v. The United States; Thomas Bennett and sundry other claimants v. The United States; Mary E. Braine, widow of Daniel L. Braine, deceased, and sundry other claimants v. The United States, and of Henry M. Cleveland, administrator of Lewis Kingsley, deceased, v. The United States, which cases were referred to the Court of Claims by resolution of the Senate of June 4, 1902, referring the bill (S. 5959) for the relief of certain naval officers and their legal representatives to that court; which, with the accompanying papers, were referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 1902) for the relief of Flora A. Darling.

The message also announced that the House had passed with an amendment the bill (S. 569) to establish the department of commerce and labor in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 622) granting a pension to Dicey Woodall.

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 288) for the relief of the Christian Church, of Henderson, Ky.;

A bill (H. R. 647) for the relief of William P. Marshall;

A bill (H. R. 1147) for the relief of the First Baptist Church of Cartersville, Ga.;

A bill (H. R. 1488) for the relief of T. A. Woodress;

A bill (H. R. 1937) for the relief of the owner and owners of the barge *Charlie*;

A bill (H. R. 2490) for the relief of Morris F. Cawley;

A bill (H. R. 5036) for the relief of the heirs of Mrs. Telisse W. Wilson;

A bill (H. R. 5070) for the relief of Hamilton M. Sailors;

A bill (H. R. 8650) for the relief of the estate of Leander C. McLelland, deceased;

A bill (H. R. 9632) for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Va., as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain;

A bill (H. R. 11127) for the relief of the Propeller Towboat Company, of Savannah; and

A bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904.

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. 473) granting an increase of pension to Maberg H. Presley;

A bill (S. 484) granting an increase of pension to Fletcher J. Walker;

A bill (S. 921) granting a pension to Joanna Rodgers;

A bill (S. 1299) granting an increase of pension to Ambrus U. Harrison;

A bill (S. 1300) granting a pension to Judson N. Pollard;

A bill (S. 1479) granting an increase of pension to Thomas L. Caughey;

A bill (S. 1739) granting an increase of pension to William S. Frost;

A bill (S. 2353) granting an increase of pension to Almond Partridge;

A bill (S. 2545) granting a pension to William Johnson;

A bill (S. 2646) granting a pension to Justus L. Denton;

A bill (S. 3035) granting an increase of pension to Elias Brewster;

A bill (S. 3365) granting an increase of pension to Eliza M. Miller;

A bill (S. 3397) granting an increase of pension to Eliza A. Walker;

A bill (S. 3508) granting an increase of pension to James M. Thomas;

A bill (S. 3661) granting an increase of pension to George W. Edmonds;

A bill (S. 4043) granting an increase of pension to Catharine A. Carroll;

A bill (S. 4075) granting a pension to Harry R. Gibbs;

A bill (S. 4093) granting an increase of pension to William Barrett;

A bill (S. 4374) granting an increase of pension to Abraham Schreener;

A bill (S. 4528) granting an increase of pension to Corydon Milard;

A bill (S. 4718) granting an increase of pension to Sarah A. Whitcomb;

A bill (S. 4809) granting an increase of pension to Henry J. McFadden;

A bill (S. 4811) granting an increase of pension to John W. Dick;

A bill (S. 4866) granting an increase of pension to Sarah D. Bereman;

A bill (S. 4941) granting an increase of pension to William Nichol;

A bill (S. 4943) granting an increase of pension to Abraham Park;

A bill (S. 5019) granting an increase of pension to Hannah E. James;

A bill (S. 5403) granting an increase of pension to Lyman Hataling;

A bill (S. 5431) granting a pension to Daniel Dougherty;

A bill (S. 5639) granting a pension to William H. Durham;

A bill (S. 5660) granting an increase of pension to George W. Berry;

A bill (S. 5774) granting a pension to Asa E. Sampson;

A bill (S. 5812) granting an increase of pension to Wallace Fairbanks;

A bill (S. 5814) granting a pension to Preston W. Burford;

A bill (S. 5816) granting a pension to Etta A. Whitehouse;

A bill (S. 5944) granting an increase of pension to Frederick W. Willey;

A bill (S. 6101) granting an increase of pension to Reuben Andrews;

A bill (S. 6123) granting an increase of pension to Thomas L. Collins;

A bill (S. 6151) granting an increase of pension to Henry E. Burton;

A bill (S. 6330) granting an increase of pension to Allen M. Ripley;

A bill (H. R. 6326) for the relief of Hiram C. Walker;

A bill (H. R. 11594) granting an increase of pension to Sarah E. Morrow;

A bill (H. R. 14416) granting an increase of pension to Albert H. Phillips;

A bill (H. R. 14477) granting a pension to John W. Bruff;

A bill (H. R. 14478) granting an increase of pension to Luman Fuller;

A bill (H. R. 14957) granting an increase of pension to Mathias Custers;

A bill (H. R. 15006) to establish Portal, N. Dak., a subport of entry and extend thereto the privileges of the first section of the act approved June 10, 1880;

A bill (H. R. 15852) granting an increase of pension to Cyrus G. Norton; and

A bill (H. R. 16642) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1903.

CREDENTIALS.

Mr. BACON presented the credentials of ALEXANDER STEPHENS CLAY, chosen by the legislature of the State of Georgia a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a petition of Division No. 352, Brotherhood of Locomotive Engineers, of Martinsburg, W. Va., praying for the passage of the so-called anti-injunction and conspiracy bill; which was ordered to lie on the table.

He also presented a petition of Mineral State Lodge, No. 326, Brotherhood of Boiler Makers and Iron Shipbuilders, of Grafton, W. Va., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of Carpenters and Joiners' Local Union No. 98, American Federation of Labor, of Spokane, Wash., praying for the enactment of legislation to repeal the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a memorial of the Woman's Christian Temperance Union of Fremont, Wash., remonstrating against the enactment of legislation to restore the sale of malt beverages and light wines on any transport or at any post exchange; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Fremont, Wash., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Shipwrights, Calkers, and Ship Joiners' Local Union No. 8828, American Federation of Labor, of Seattle, Wash., and a petition of the Musicians Mutual Protective Union, No. 76, American Federation of Labor, of Seattle, Wash., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. QUARLES presented a petition of the Cudahy Brothers Company, of Milwaukee, Wis., praying for the ratification of the so-called Hay-Bond treaty; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Wisconsin Humane Society, of Milwaukee, Wis., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Cigar Makers' Local Union No. 168, American Federation of Labor, of Oshkosh, Wis., praying for the enactment of legislation to repeal the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a memorial of the Federated Trades Council, American Federation of Labor, of Milwaukee, Wis., remonstrating against the adoption of certain amendments to the so-called eight-hour bill; which was ordered to lie on the table.

He also presented memorials of the Marinette Iron Works Manufacturing Company, of Marinette; of the Thomas B. Jeffery Company, of Kenosha, and of the Kaukauna Fiber Company, of Kaukauna, all in the State of Wisconsin, remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the Gilbert Paper Company, of Menasha; of the Chain Belt Company, of Milwaukee; of the Racine Wagon and Carriage Company, of Racine; of the Giddings & Lewis Manufacturing Company, of Fond du Lac; of the J. Thompson & Sons Manufacturing Company, of Beloit; of the O. L. Packard Machinery Company, of Milwaukee, and of the Manasha Wooden Ware Company, of Manasha, all in the State of Wisconsin, praying for the establishment of a department of commerce; which were ordered to lie on the table.

Mr. PLATT of New York presented a petition of the Society of Friends of Cayuga County, of New York, praying for the adoption of an amendment to the bill to promote the efficiency

of the militia so as to provide an exemption clause based on conscientious scruples; which was ordered to lie on the table.

He also presented petitions of the New Kurlander Lodge, No. 95, Order of B'rith Abraham; of G. Richter Lodge, No. 192, Order of B'rith Abraham, and of Lewinthan Lodge, No. 306, Order of B'rith Abraham, all of New York City, in the State of New York, praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

He also presented a petition of United Garment Workers' Local Union No. 46, American Federation of Labor, of Buffalo, N. Y., and a petition of the Carpenters and Joiners' Local Union, American Federation of Labor, of New York City, N. Y., praying for the enactment of legislation to repeal the desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

He also presented petitions of J. R. Stine & Co., of New York; of H. B. Roelker, of New York; of the Gilbert Manufacturing Company, of New York; of the Bailey Jones Company, of Jamestown; of the Lockport Felt Company, of Lockport; of the Fort Miller Pulp and Paper Company, of Fort Miller; of Edward F. Jones, of Binghamton; of the Church & Dwight Company, of New York; of the A. S. Cameron Steam Pump Works, of New York; and of the Bausch & Lomb Optical Company, of Rochester, all in the State of New York, praying for the establishment of a department of commerce; which were ordered to lie on the table.

He also presented petitions of Livery Employees' Local Union No. 7026, of Troy; of the Japanners and Finishers' Local Union No. 9096, of Jamestown; of Federal Labor Union No. 9781, of Wellsville; of the Paper Makers' Local Union, of Ticonderoga; of Local Union No. 121, of Troy; of Local Union No. 134, of Geneva; of Journeymen Barbers' Local Union No. 150, of Troy, and of Loomfixers' Local Union No. 270, of Jamestown, all of the American Federation of Labor, in the State of New York, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the Bickford & Francis Belting Company, of Buffalo; of the J. Hungerford Smith Company, of Rochester; of the Moody & Gould Company, of Oneonta; of the Leather Belting Company, of New York; of the J. L. Mott Iron Works, of New York; of the Buffalo Pitts Company, of Buffalo; of the Carriage and Wagon Manufactory of Thomas Callister, of Queens; of the E. D. Clapp Manufacturing Company, of Auburn; of the Carvin Machine Company, of New York; of the Bausch & Lomb Optical Company, of Rochester; and of the Seneca Falls Manufacturing Company, of Seneca Falls, all in the State of New York, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of sundry citizens in the State of New York, praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which were ordered to lie on the table.

Mr. CULLOM presented the memorial of Frank Chapin Bray and 24 other citizens of Chicago, Ill., remonstrating against the passage of the bill to promote the efficiency of the militia; which was ordered to lie on the table.

He also presented a petition of Local Union No. 63, American Federation of Labor, of Bloomington, Ill., praying for the enactment of legislation to repeal the so-called desert-land law, and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented petitions of the Wholesale Drug House Employees Union of Chicago; of Local Union No. 3, of Streator; of Local Union No. 17, of Moline; of Local Union No. 697, of East St. Louis; of Local Union No. 169, of East St. Louis; of Mattress Makers' Local Union No. 6899, of Chicago; of Cigar Makers' Local Union No. 191, of Morris; of Local Union No. 127, of Chicago; of the Trades and Labor Council of Streator, and of Local Union No. 850, of Dawson, all of the American Federation of Labor, in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented the memorial of Patrick Edgeworth, of Chicago, Ill., and the memorial of the Greenlee Bros. & Co., of Chicago, Ill., remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. ALDRICH. I present a memorial of the Fisheries Company, remonstrating against the ratification of the Newfoundland treaty. The memorial represents the views of an important body of fishermen on the Atlantic coast, and I move that it be printed as a document and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. DEPEW presented petitions of Local Union No. 186, of Auburn; of Local Union No. 747, of Oswego; of Local Union No. 498, of Jamestown; of the Central Federation of Labor, of Troy;

of Coal Employees' Local Union No. 6380, of Troy; of Local Union No. 12, of Troy; of Local Union No. 835, of Seneca Falls; of Local Union No. 1, of Lockport; of Car Painters' Local Union No. 535, of Albany; of Local Union No. 39, of Rochester; of Broommakers' Local Union No. 14, of Amsterdam, and of Carpenters and Joiners' Local Union No. 24, of Batavia, all of the American Federation of Labor, in the State of New York, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a memorial of the Carvin Machine Company, of New York City, N. Y., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. McCUMBER presented the petition of Horace E. Browning, superintendent of Browning boarding school, of Elbowoods, N. Dak., praying for the enactment of legislation pertaining to Indian traders and the correction of errors in double Indian allotments; which was referred to the Committee on Indian Affairs.

Mr. BEVERIDGE presented a petition of the Lake Mohonk Twentieth Annual Conference of Friends of the Indians of the United States, praying for the enactment of legislation to provide for the allotment of lands in severalty to the Indians in the State of New York and extend the protection of the laws of the United States and the State of New York over such Indians, and for other purposes; which was referred to the Committee on Indian Affairs.

He also presented a petition of the legislative board of the Brotherhood of Locomotive Engineers of Wabash, Ind., praying for the passage of the so-called employers' liability bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 599, American Federation of Labor, of Hammond, Ind., praying for the enactment of legislation to repeal the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Lodge No. 211, Order of Brith Abraham, of Lafayette, Ind., praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which was referred to the Committee on Immigration.

He also presented a petition of Local Union No. 35, American Federation of Labor, of Indianapolis, Ind., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a memorial of the Manufacturers' Club, of Indianapolis, Ind., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. MARTIN presented petitions of sundry citizens of Albemarle County, Va., praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which were ordered to lie on the table.

Mr. KITTREDGE presented a petition of the Lead City Miner's Union, of Lead, S. Dak., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. CLAPP presented a petition of Capitol Lodge, No. 93, Order B'rith Abraham, of St. Paul, Minn., praying for the enactment of legislation to regulate the methods and practice pursued by the immigration officers of the port of New York; which was referred to the Committee on Immigration.

Mr. GALLINGER presented a memorial of the Brightwood Park Citizens' Association of the District of Columbia, remonstrating against the extension of additional streets in the District of Columbia outside of the city limits at the expense of the taxpayers, etc.; which was referred to the Committee on the District of Columbia.

He also presented a petition of the North Capital and Eckington Citizens' Association of the District of Columbia, praying for the enactment of legislation to provide better police protection in that section of the city; which was referred to the Committee on the District of Columbia.

He also presented a petition of the North Capital and Eckington Citizens' Association of the District of Columbia, praying for the enactment of legislation relative to the opening of streets, etc., in that section of the city; which was referred to the Committee on the District of Columbia.

He also presented a petition of the North Capital and Eckington Citizens' Association of the District of Columbia, praying for the enactment of legislation to advance to the District the money necessary for the extraordinary items of expense, to be returned by installments at future dates; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Milford, N. H.; of the Woman's Christian Temperance Union of Epping, N. H., and of the General Assembly of the Presbyterian Church of Pittsburgh, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings and immigration stations; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Manchester City Lodge, No. 264, Order of Brith Abraham, of Manchester, N. H., praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which was referred to the Committee on Immigration.

Mr. FAIRBANKS presented a petition of the Commercial Club of Indianapolis, Ind., praying for the enactment of legislation to afford such relief as is possible from the present coal situation; which was referred to the Select Committee on Investigating the Coal Deficit.

He also presented a petition of the American Bar Association, praying that an appropriation be made for the erection of a building for the exclusive occupancy and use of the Supreme Court of the United States; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of Local Union No. 59, United Brotherhood of Leather Workers, of Evansville; of South Bend Typographical Union, No. 128, of South Bend; of Protective Gas Workers' Union No. 10166, of Evansville; of Central Labor Union of Evansville; of Local Union No. 431, United Brotherhood of Carpenters and Joiners, of Brazil; of Local Union No. 652, United Brotherhood of Carpenters and Joiners, of Elwood; of Local Union No. 1110, United Brotherhood of Carpenters and Joiners, of East Chicago; of Local Union No. 599, United Brotherhood of Carpenters and Joiners, of Hammond; of Local Union No. 752, of Newburg; of Local Union No. 19, Amalgamated Wood Workers' International Association, of Elwood; of Local Union No. 380, of South Bend; of Local Branch No. 35, United Brotherhood of Leather Workers, of Indianapolis, and of Local Union No. 205, Carpenters and Joiners, of Terre Haute, all in the State of Indiana, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented memorials of the Dodge Manufacturing Company, of Mishawaka; of the Manufacturers' Club, of Indianapolis, Ind.; the Federal Manufacturing Company, of Indianapolis; of Nordyke & Marmon Company, of Indianapolis; of Reeves Pulley Company, of Columbus; of Showers Brothers Company, of Bloomington; of the L. C. Thompson Manufacturing Company, of Indianapolis; of Chandler & Taylor Company, of Indianapolis; of W. D. Allison Company, of Indianapolis; of the North Baltimore Bottle Glass Company, of Terre Haute, all in the State of Indiana, and of Terstegge, Gohmann & Co., of Louisville, Ky., remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. HALE presented a petition of Local Union No. 407, United Brotherhood of Carpenters and Joiners, of Lewiston, Me., praying for the repeal of the desert-land law and commutation clause of the homestead act; which was referred to the Committee on Public Lands.

Mr. DOLLIVER presented a petition of the Commercial Club, of Fort Dodge, Iowa, praying for the establishment of a department of commerce; which was ordered to lie on the table.

He also presented petitions of Local Union No. 154, United Mine Workers, of Keb; of Local Union No. 62, United Brotherhood of Leather Workers on Horse Goods, of Des Moines; of Maple Leaf Lodge, No. 90, International Association of Machinists; of Local Union No. 242, United Mine Workers, of Avery, and of Central Lodge, No. 110, Brotherhood of Railway Carmen, of Marshalltown, all in the State of Iowa, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. KEAN presented a petition of the Millers' National Association, of Milwaukee, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Daniel J. Camp, of Deerfield, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Botany Worsted Mills, of Passaic, N. J., praying for the establishment of a department of commerce; which was ordered to lie on the table.

He also presented a memorial of the New Jersey School Church Furniture Company, of Trenton, N. J., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented petitions of the Central Trades Council, of Bridgeton; of Stove Mounters' Local Union No. 28, of Dover; and of Glass Bottle Blowers' Association No. 6, of Salem, all of the American Federation of Labor in the State of New Jersey, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented memorials of N. Reeves, of Pleasantville; of 10 citizens of Bound Brook; of A. S. Bailey, of Lakewood; of Anna Padgett, of Bridgeton; of Jacob Fisher, of Dunellen; of

Harry B. Tyler, of Camden; of S. A. Lewis, of Norwood; of Samuel L. Bailey, of Trenton; of the Woman's Christian Temperance Union, of Salem; of W. P. La Tourette, of Morristown; of the Society of Christ Church, of Atlantic City; of Milton Wickward, of Camden; of H. C. Neary, of Point Pleasant; of Oscar L. Pruden, of Morristown; of J. G. Demarest, of Tenafly; of Norman Fox, of Morristown; of the Woman's Christian Temperance Union, of Medford, and of Harry F. Peters, of Camden, all in the State of New Jersey, remonstrating against the repeal of the present anticanteen law; which were referred to the Committee on Military Affairs.

Mr. HEITFELD presented a memorial of sundry citizens of Idaho, remonstrating against the repeal of the timber and stone act, or any change therein; which was referred to the Committee on Public Lands.

He also presented the petition of E. J. Northcutt, of Idaho, praying that he be granted compensation for losses sustained by the Rogue River Indians in the year 1855; which was referred to the Committee on Indian Affairs.

Mr. MCCOMAS presented a memorial of the Chesapeake Bay Fishermen's Protective Association, of Maryland, remonstrating against the ratification of the so-called Hay-Bond treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of Pioneer Council, No. 135, Junior Order United American Mechanics, of Baltimore, Md., praying for the passage of the so-called immigration bill; which was ordered to lie on the table.

He also presented a petition of Potomac Lodge, No. 2, Amalgamated Iron, Steel, and Tin Workers, of Cumberland, Md., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Maryland, praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which was ordered to lie on the table.

He also presented a petition of Baltimore City Lodge, No. 118, Order of Brith Abraham, Baltimore; of Maryland Lodge, No. 96, Independent Order of Brith Abraham, of Baltimore, and of Benjamin Szold Lodge, No. 211, Independent Order of Brith Abraham, of Baltimore, all in the State of Maryland, praying for the enactment of legislation to regulate the methods and practice pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

Mr. FRYE. I present resolutions adopted by the legislature of the State of Maine, remonstrating against the ratification of the Hay-Bond treaty. I ask that the resolution be printed in the RECORD, and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

STATE OF MAINE, OFFICE OF SECRETARY OF STATE.

I hereby certify that the paper to which this is attached is a true copy from the records of this office.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta, this 14th day of January, A. D. 1903, and in the one hundred and twenty-seventh year of the Independence of the United States of America.

[SEAL.]

BYRON BOYD, Secretary of State.

Resolves, protesting against the Hay-Bond treaty.

Whereas the fishing industry is one of the most important interests of this State, giving employment, as it does, to 25,000 men, having an invested capital of \$3,000,000, with an annual product valued at \$5,000,000; and

Whereas our own market takes by far the greater part of the catch of the New England fishing fleet, which alone makes it possible for that fleet to maintain its existence; and

Whereas there is now pending in the Senate of the United States, with a view to obtaining the advice and consent of that body to its ratification, a convention between the Governments of the United States and Great Britain for the improvement of commercial relations between the United States and His Britannic Majesty's colony of Newfoundland, signed at Washington on the 8th day of November, 1902; and

Whereas Article II of said convention provides that certain produce of the Newfoundland fisheries shall be admitted into the United States, free of duty; Therefore, be it

Resolved by the senate and house of representatives of the State of Maine in legislature assembled, That the ratification of the aforesaid convention by the Government of the United States will work irreparable injury to this great industry, by opening our home market to a competitor which, by reason of cheaper labor and smaller cost of building and maintaining its fleet, can land its product in the Atlantic ports of the United States at one-third less cost than the New England fleet is able to do; that it will render valueless many millions of capital now profitably employed in the fishing industry; that it will deprive many thousand men of employment in a business in which they are skilled; that it will deprive the naval and merchant vessels of the United States of a great training school for sailors; that the concessions granted by said convention to importations from the United States are trifling in comparison and wholly inadequate to compensate the people of the United States for the practical destruction of a great national industry. And be it further

Resolved, That this legislature, in behalf of the people of this State, tenders its thanks to its Senators and Representatives in Congress for their steadfast and zealous opposition to the ratification of said treaty, and that a copy of this joint resolution be transmitted to the Hon. WILLIAM P. FRYE, President pro tempore of the Senate of the United States, for presentation to the Senate in such manner as he may determine.

IN HOUSE OF REPRESENTATIVES, January 14, 1903.

Read and passed finally.

O. F. FELLOWS, *Speaker*.
IN SENATE, January 14, 1903.

Read and passed finally

HARRY R. VIRGIN, *President*.
JANUARY 14, 1903.

Approved.

JOHN F. HILL, *Governor*.

Mr. FRYE presented a petition of Carpenters and Joiners' Local Union No. 407, American Federation of Labor, of Lewiston, Me., praying for the enactment of legislation to repeal the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of the legislative representative of the Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen, Order of Railway Conductors, Brotherhood of Railroad Trainmen, and Order of Railroad Telegraphers, of Washington, D. C., praying for the passage of the so-called Grosvenor anti-injunction and conspiracy bill; which was ordered to lie on the table.

STATEHOOD BILL.

Mr. QUAY. I present sundry telegrams and resolutions relating to the statehood bill; which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table, and to be printed in the RECORD, as follows:

[Telegram.]

RATON, N. MEX., January 16, 1903.

Hon. M. S. QUAY, Washington, D. C.:

We, business men of Raton, a town of 5,000, the third city in population in New Mexico, and wholly American, earnestly pray that the omnibus statehood bill may pass. The subcommittee on Territories in its flight through New Mexico ignored several of the most progressive towns and sections, among them Raton. Its report does this Territory injustice. We recommend that Senators read the late report of Governor Otero to the Secretary of the Interior and learn true condition of affairs here.

W. F. Denger, Wm. Arknell, C. Sandusky & Co., S. E. Leeman, A. C. Price, C. A. Whited, M. R. Mendelson, Cohn Bros., Joe Israel, Fry Bros., W. S. Connetta, M. D.; M. B. Dawson, cashier Citizens Bank; C. N. Blackwell, cashier First National Bank; C. E. Stivers, editor Range.

[Telegram.]

PRESCOTT, ARIZ., January 15, 1903.

Senator MATTHEW S. QUAY, Washington, D. C.:

You hold the unbounded gratitude of Arizona for your efforts supporting the omnibus statehood bill. The Senate committee made no investigation. Their report is misleading in every particular. We sincerely trust the bill will pass.

C. P. HICKS, *Probate Judge*.

[Telegram.]

SILVER CITY, N. MEX., January 15, 1903.

Hon. M. S. QUAY, Washington, D. C.:

The Silver City Commercial Club, an organization of about 100 members, including the leading business men of the county, desire to extend our hearty thanks to you, as well as our unqualified support in your efforts in behalf of the omnibus statehood bill. We represent the banner county of the Territory from a mining, live stock, and sanitarian standpoint, as well as the metropolis of this southern half of it. We were not visited by the Senatorial committee, although we cordially invited them to our city. We are solid for statehood, and wish you Godspeed in your efforts in our behalf.

Very respectfully, yours,

THE SILVER CITY COMMERCIAL CLUB,
Per E. L. WOODS, *President*.

Attest:

HOWARD H. BETTS, *Secretary*.

Copy of resolution No. 58.

Whereas there is now pending in the Congress of the United States a bill designated as "the omnibus statehood bill," which provides for the admission of the Territory of New Mexico into the Union of the States; and

Whereas it is the unanimous sentiment of the city council of the city of Las Vegas, San Miguel County, N. Mex., sitting as a representative body of the citizens of said city, and as such voicing the sentiment of said citizens, that said bill be passed as speedily as possible and at the present term of said Congress: Now, therefore, be it

Resolved by the city council of the city of Las Vegas, as such council and as the representative body of the citizens of said city, That it is the sentiment, wish, and desire of said council that said omnibus statehood bill providing for the admission of New Mexico as a State be passed at this term of Congress, and that the Hon. B. S. RODEY, the Delegate in Congress from said Territory, be requested and urged to do all in his power to secure the passage of said bill.

Duly adopted this 4th day of June, A. D. 1902.

K. D. GOODALL, *Mayor*.

Attest:

CHAS. TAMME, *City Clerk*.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 6960) for the relief of Charles W. Howard, reported it without amendment, and submitted a report thereon.

Mr. McLAURIN of Mississippi, from the Committee on Public Lands, to whom was referred the bill (S. 6779) to quiet certain land titles in the State of Mississippi, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 6437) granting a pension to Frederick S. Woodward, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2783) granting a pension to William Dixon, reported it without amendment, and submitted a report thereon.

Mr. MORGAN, from the Committee on Coast and Insular Survey, to whom was referred the bill (S. 6683) to enable the State of Michigan to utilize certain dock facilities at the Straits of Mackinac, and to aid in providing for a memorial monument adjacent thereto, reported it without amendment, and submitted a report thereon.

Mr. CULLOM. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 16021) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, to report it with amendments, and to submit a report thereon. I give notice that I will ask the Senate to take up the bill to-morrow morning or as soon thereafter as I may have an opportunity.

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

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2591) granting an increase of pension to George W. McComb;

A bill (S. 2626) granting an increase of pension to Ardemia Dillon; and

A bill (S. 5053) granting a pension to Deborah Edwards.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3632) granting an increase of pension to Frank E. Freeman;

A bill (S. 4892) granting an increase of pension to John Doberner;

A bill (H. R. 11280) granting an increase of pension to Henry J. Feltus; and

A bill (H. R. 12701) granting an increase of pension to Milton Noakes.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1617) granting an increase of pension to Margaret A. Osborn;

A bill (H. R. 3907) granting an increase of pension to John A. Sare;

A bill (H. R. 4437) granting an increase of pension to Absalom Case;

A bill (H. R. 8175) granting an increase of pension to John W. Covey;

A bill (H. R. 13262) granting an increase of pension to James M. Spencer;

A bill (H. R. 14262) granting a pension to Harriet Robinson; and

A bill (H. R. 14518) granting an increase of pension to James D. Kiper.

Mr. GALLINGER. From the Committee on Pensions I report adversely the following pension bills. In each case the proposed beneficiary has died since the bills were introduced, and I ask that they be indefinitely postponed.

The bills, on which adverse reports were submitted, were postponed indefinitely, as follows:

A bill (S. 954) granting an increase of pension to Fordyce M. Keith;

A bill (H. R. 3371) granting an increase of pension to Elizabeth P. Searcy;

A bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard;

A bill (H. R. 7529) granting an increase of pension to Philip Atwood;

A bill (H. R. 10114) granting an increase of pension to Charles H. Ferguson;

A bill (H. R. 12028) granting an increase of pension to Henry C. Helphinstine;

A bill (H. R. 10223) granting an increase of pension to Benjamin E. Morgan;

A bill (H. R. 13083) granting a pension to Lockie W. Reeves;

A bill (H. R. 2817) granting an increase of pension to John Beeson;

A bill (H. R. 4990) granting an increase of pension to George F. Gregg;

A bill (H. R. 10105) granting an increase of pension to Thomas Fleming; and

A bill (H. R. 7731) granting an increase of pension to Richard Owens.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2596) granting an increase of pension to Israel F. Barnes;

A bill (S. 5006) granting a pension to Annie P. Pinney;

A bill (S. 6748) granting an increase of pension to Ann M. Haskell;

A bill (S. 6632) granting an increase of pension to Frank Cleaves;

A bill (S. 6631) granting an increase of pension to Mitchell Hunt;

A bill (S. 6798) granting an increase of pension to Charles F. Sheldon; and

A bill (H. R. 16224) granting an increase of pension to William Montgomery.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6413) granting a pension to Harold P. Waldo;

A bill (S. 6795) granting an increase of pension to Hannah J. G. Hopkins;

A bill (S. 6586) granting an increase of pension to Othniel P. Patcher;

A bill (S. 2130) granting a pension to Margaret A. Munson; and

A bill (S. 14) granting a pension to George F. Howe.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6842) granting an increase of pension to Stephen R. Swett;

A bill (S. 5792) granting an increase on pension to Andrew J. Reeves;

A bill (H. R. 13472) granting an increase of pension to Lewis E. Wilcox;

A bill (H. R. 13127) granting a pension to Nancy Works;

A bill (H. R. 12981) granting a pension to Sarah A. Waltrip;

A bill (H. R. 15549) granting an increase of pension to John Wright;

A bill (H. R. 15063) granting an increase of pension to William R. Thompson;

A bill (H. R. 15874) granting an increase of pension to Rebecca R. Greer;

A bill (H. R. 15433) granting an increase of pension to William Heywood;

A bill (H. R. 14185) granting an increase of pension to Albert Blood;

A bill (H. R. 15682) granting an increase of pension to Jared P. Hubbard;

A bill (H. R. 15441) granting an increase of pension to Josiah Stackpole;

A bill (H. R. 12812) granting an increase of pension to Otis T. Hooper;

A bill (H. R. 12683) granting a pension to Sarah L. Bates;

A bill (H. R. 8447) granting an increase of pension to John McArthur; and

A bill (H. R. 12877) granting an increase of pension to James N. Gates.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4429) granting a pension to Alvira Randall;

A bill (S. 6623) granting an increase of pension to Gilbert E. Bushnell; and

A bill (S. 6668) granting an increase of pension to Charles Graham.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 6845) granting an increase of pension to Martin G. Cushing, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5007) granting an increase of pension to James W. Messick;

A bill (H. R. 11694) granting an increase of pension to Dennis F. Andre;

A bill (H. R. 12215) granting an increase of pension to Henry M. Posey;

A bill (H. R. 15229) granting a pension to James T. Jackson; and

A bill (H. R. 15729) granting an increase of pension to Abner M. Judkins.

Mr. McCUMBER (for Mr. PRITCHARD), from the Committee on

Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4029) granting a pension to Mary J. Parker;

A bill (S. 5568) granting an increase of pension to Emma R. Cropsey; and

A bill (S. 6096) granting an increase of pension to Hester A. R. Landers.

Mr. McCUMBER (for Mr. PRITCHARD), from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2302) granting a pension to Rose Crummett;

A bill (S. 6305) granting an increase of pension to James B. Taylor; and

A bill (S. 6703) to restore to the pension roll the name of Henrietta V. West.

Mr. McCUMBER (for Mr. PRITCHARD), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11339) granting a pension to Augustus Blount;

A bill (H. R. 9611) granting a pension to Maria M. C. Smith; and

A bill (H. R. 5718) granting an increase of pension to James M. Blades.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (S. 1128) granting an increase of pension to Lyman Matthews, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4807) granting an increase of pension to Emmett C. Hill; and

A bill (S. 6191) granting an increase of pension to Samuel L. Thompson.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 6731) granting an increase of pension to Benjamin N. Bond, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3929) granting an increase of pension to L. A. Brace;

A bill (S. 6063) granting an increase of pension to Orson Nickerson; and

A bill (S. 6641) granting an increase of pension to Sophie S. Shaffer.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6431) granting an increase of pension to James Greenman;

A bill (H. R. 7680) granting an increase of pension to David C. Yakey; and

A bill (H. R. 12413) granting an increase of pension to William Zickerick.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the amendment submitted by himself on the 15th instant, proposing to appropriate \$25,000 to enable the Commissioner of Labor to collect and report to Congress the statistics of and relating to marriage and divorce in the several States and Territories and in the District of Columbia since January 1, 1887, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. PLATT of Connecticut, from the Committee on the Judiciary, to whom was referred the bill (H. R. 10300) conferring jurisdiction upon the circuit and district courts for the district of South Dakota in certain cases, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. SIMON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1939) granting an increase of pension to John M. Drake; and

A bill (S. 4760) granting an increase of pension to John Hamilton.

Mr. SIMON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13955) granting an increase of pension to Jesse A. McIntosh;

A bill (H. R. 14265) granting an increase of pension to Helen N. Packard;

A bill (H. R. 14751) granting an increase of pension to Regina F. Palmer; and

A bill (H. R. 9776) granting an increase of pension to Alice A. Fitch.

Mr. GIBSON, from the Committee on Public Lands, to whom was referred the bill (S. 5279) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (S. 1168) to restore Edward L. Bailey to the United States Army and to place him on the retired list with the rank of captain of infantry, reported it with amendments, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10219) granting an increase of pension to J. Banks Hunter;

A bill (H. R. 15385) granting an increase of pension to Alfred J. Sellers; and

A bill (H. R. 15416) granting an increase of pension to William Thompson.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2256) granting an increase of pension to Andrew J. Pennel;

A bill (S. 3542) granting an increase of pension to William H. Shaw;

A bill (S. 5932) granting an increase of pension to William Kirkpatrick; and

A bill (S. 6192) granting an increase of pension to Austin H. Patterson.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 5507) granting an increase of pension to Jarrett F. Rigg, reported it with amendments, and submitted a report thereon.

Mr. BURTON, from the Committee on Pacific Islands and Porto Rico, to whom was referred the bill (H. R. 11997) granting to the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like for irrigation and domestic purposes in said districts, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2974) granting an increase of pension to Samuel J. Boyer;

A bill (S. 5123) granting an increase of pension to James McMorrow; and

A bill (S. 5991) granting an increase of pension to William Barrett.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 6530) granting an increase of pension to Austin L. Tapliff, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8721) granting an increase of pension to Joseph Westbrook; and

A bill (H. R. 11485) granting a pension to Julia McCarthy.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6373) granting an increase of pension to Joseph D. Lockhart; and

A bill (S. 6694) granting an increase of pension to Burrell G. Wood.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (H. R. 623) granting a pension to Susan Kennedy, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14373) granting an increase of pension to William H. Loyd; and

A bill (H. R. 14913) granting an increase of pension to Ann M. Morrison.

Mr. MARTIN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 10522) to provide for laying a single electric street railway track across the Aqueduct Bridge, in the District of Columbia, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN, from the Committee on the Judiciary, to whom was referred the bill (H. R. 14275) providing for additional

terms of court in the western judicial district of the State of South Carolina, reported it without amendment.

Mr. TURNER (for Mr. PATTERSON), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5967) granting an increase of pension to Mary E. Craig;

A bill (S. 4544) granting an increase of pension to Phineas L. Squires;

A bill (S. 4379) granting an increase of pension to George Davis;

A bill (S. 3249) granting an increase of pension to Charles W. Scherzer; and

A bill (S. 4087) granting a pension to Lemuel Kingsbury.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (H. R. 13200) granting an increase of pension to Charles B. Greely, reported it without amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Commerce, to whom the subject was referred, submitted a report, accompanied by a bill (S. 7034) providing for the expenditure of money hitherto appropriated for the improvement and maintenance of Ashtabula Harbor, Ohio; which was read twice by its title.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8238) for the relief of the heirs of Mary Clark and Francis or Jenny Clark, deceased, and for other purposes; and

A bill (H. R. 7664) providing for the compulsory attendance of witnesses before registers and receivers of the land office.

REPORT OF SUPERINTENDENT OF INDIAN SCHOOLS.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a resolution, which I ask may be read.

The resolution was read, as follows:

Resolved. That the Public Printer be, and he is hereby, authorized and directed to print from stereotyped plates 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1902, for the use of the Department of the Interior.

Mr. PLATT of New York. I ask for the present consideration of the resolution.

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

Mr. BAILEY. I object to any unanimous consent at this time.

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

COURTS IN ARKANSAS.

Mr. PETTUS. By authority of the Committee on the Judiciary, I report back with an amendment the bill (S. 6719) to change and fix the time for holding the district and circuit courts of the United States for the eastern division of the eastern district of Arkansas, and I ask for its present consideration. The bill has been somewhat delayed in the committee.

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

The PRESIDENT pro tempore. The Committee on the Judiciary reports in favor of striking out section 2 of the bill.

Mr. BERRY. What is section 2?

The section was read, as follows:

Sec. 2. That this act shall take effect and be in force from and after its passage.

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.

COURTS IN MISSOURI.

Mr. HOAR. From the Committee on the Judiciary I am directed to report an original bill, and I ask unanimous consent that it may be considered now. It is a bill to amend an act entitled "An act to create a new division in the western judicial district of the State of Missouri."

Before I submit the report, I ask leave to state that a bill amending that act passed both Houses. It enacted that the original act which it amended should be amended so as to read as follows, and the first three sections were changed in the new reading so as to assign certain counties to one judicial division and others to another. But the bill did not repeal the later sections of the original act which provided for process and where parties should be tried for crime, and where civil cases should be tried. So the President called the attention informally of the committee to the fact that the bill might be construed to repeal those later sections and leave no law upon the subject. Thereupon the Senate requested a return of the bill, and I now report a new bill which

merely reenacts the old law with the change which the Senate has already agreed to. I ask that it may be now considered.

The bill (S. 7033) to amend an act entitled "An act to create a new division in the western judicial district of the State of Missouri," approved January 24, 1901, was read twice by its title.

The PRESIDENT pro tempore. The Senator from Massachusetts reports this bill from the Committee on the Judiciary and asks for its present consideration.

Mr. BAILEY. I object to the present consideration of the bill.

The PRESIDENT pro tempore. The Senator from Texas objects, and the bill goes to the Calendar.

Mr. HOAR. It only hurts Missouri, and various parties there, and not anybody else.

CENTRAL ARIZONA RAILWAY.

Mr. BURTON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 6968) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve, in the Territory of Arizona, to report it without amendment.

I desire to ask for the present consideration of this bill. I will state that a bill like it in every part has already passed at the present session of Congress, but it was vetoed by the President under a misapprehension of the facts, and I introduced it again. I hope that objection will not be made to its consideration.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent for the present consideration of the bill.

Mr. BAILEY. I object.

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

COURTS IN VIRGINIA.

Mr. CULBERSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 6595) fixing the times and places for holding regular terms of the United States circuit and district courts in the western district of Virginia, and for other purposes, to report it favorably with an amendment.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Texas.

The PRESIDENT pro tempore. The Senator from Virginia asks unanimous consent for the present consideration of the bill. It will be read to the Senate for its information.

The Secretary read the bill.

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

Mr. LODGE. Mr. President, if there is to be an abolition of unanimous consent I think it had better be uniform, and I object.

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

Mr. MARTIN. I am very sorry that the Senator from Massachusetts proposes to visit on me his retaliation against another Senator, but of course he has the power to do it.

Mr. LODGE. The Senator knows very well I have no objection in the world to the bill, but if objections are to be made to all requests for unanimous consent, I do not think that they ought to be confined to one side of the Chamber.

Mr. BAILEY. Mr. President, I wish to say very frankly that nobody on this side is responsible for objections against the requests of that side except me. I take the entire responsibility, and I intend to continue the objection.

The reason why I discriminate is that every Democrat on the committee conceded the right of the Texas Senators to settle a question of rivalry between two Texas towns, and it would therefore be the sheerest nonsense to attempt retaliation against those who recognized a rule that has stood as long as the Senate itself has existed.

If it be possible that gentlemen from New York can project themselves into a contest between two rival Texas towns and overrule the Senators from that State, the sooner we know it the better. I am myself as little disposed to interrupt the ordinary and agreeable course of business in the Senate Chamber as any member of it. The rule which recognizes the right of Senators to settle purely local matters is not merely one of courtesy, but it has a better foundation. It rests upon the solid ground that if the Senators from a State make a mistake in matters relating to that State the people of it can punish them. But if Senators from other States undertake to settle questions relating to States which they do not represent, the people affected are powerless ever to punish them.

Mr. HOAR. May I ask the Senator a question before he sits down?

Mr. BAILEY. Certainly.

Mr. HOAR. I should like to ask the Senator if in his judgment it promotes the establishment of the doctrine that the Senators from a State are to settle such local matters to object to a bill introduced and promoted by the two Senators from Missouri to

settle a local matter there, which has just happened in regard to a measure greatly concerning the convenience of suitors in an important judicial district of Missouri.

Mr. BAILEY. I answer the Senator frankly that it does not promote it; but I intend that the same rule shall be applied to others which has been applied to me. I do it very reluctantly, but very firmly.

Mr. DEPEW. Mr. President, of this matter I think the Senate should be advised. I think my friend the Senator from Texas takes an extreme view of the situation. It is not a partisan question in any sense before the committee, nor will it be when it comes here for the Senate to act upon it.

This is a question relating, it is true, to two places in the State of Texas in an effort to have a port of entry made of one or the other. So far as Texas citizens are concerned, they have done little for either place. Capitalists in New York have spent many million dollars at one place and capitalists from Chicago have spent many million dollars at the other place. This port of entry affects territory partly in Texas and partly in Louisiana, in which there is expected to be—

Mr. BAILEY. If the Senator will permit me, the whole of Louisiana included in the bill was stricken out upon the suggestion of the Senator from Louisiana. I said to him frankly that I would not propose to include against his will any of the State which he represents, and as I asked unanimous consent Thursday evening, the whole of the Louisiana part was stricken out. It is purely a Texas matter.

Mr. DEPEW. I understand; but the recommendation of the Treasury Department was that a part of Louisiana should be included in the operations of the bill.

The merits of this bill have been discussed repeatedly before the Committee on Commerce, and it was supposed that at the meeting last Thursday a vote could be had upon the question. The Senator very frankly then as now claimed that it was a matter which belonged exclusively to the Senators from Texas, and that they were the ones upon whom the responsibility would rest for the action in establishing a port to which the navigation and the commerce of the whole country and the whole world would go, and that the committee and the Senate had practically nothing to say on the subject. I do not want to misstate the Senator, but that, I understand, is his position here.

Now, I will state what occurred, and I am not revealing any secrets of the committee. There was a bare quorum present. Precisely how the vote would have been, if one had been taken, I do not know. There was a bare quorum present, and in view of what the Senator from Texas had said and because of the friendly feeling toward the Senator in the committee, it was thought, and in fact asked, that the question should not be decided then, when it might have been decided against him. Therefore it was unanimously agreed that the matter should be put over until the regular meeting on Thursday, when a notice should be sent to each member of the committee, that then and there a vote should be taken upon the report of the bill in which the Senator from Texas displays this interest.

Mr. BAILEY. Does the Senator from New York tell the Senate that that was unanimously agreed to?

Mr. DEPEW. It was, so far as I remember, unanimously agreed that the vote should be taken at the next meeting.

Mr. BAILEY. The Senator is mistaken.

Mr. CLAY. Will the Senator from New York permit me just one minute?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Georgia?

Mr. DEPEW. Certainly.

Mr. CLAY. I desire to state that, as an original proposition, I should not have been in favor of making Port Arthur a general port of entry. Citizens from Georgia were opposed to it and presented their objections to it. But I yielded to the wishes of the Senator from Texas and I was in favor of the Senators from Texas governing their own affairs.

Now, I think the Senator from New York is mistaken in one respect. I am sure that the vote was not unanimous in favor of the continuance of this matter. It is true that there was a bare quorum present, and I am sure that a majority of the Senators thought that we ought to have a full meeting at the time the matter was voted upon. But I know that there were two or three Senators who did not vote in favor of the continuance. I do not wish to go into what transpired in the committee room. In this matter I was governed from the beginning to the end by the wishes of the Senators from Texas. Otherwise, I should have voted in favor of the wishes of those from Georgia, who have great interest in this matter.

I am sure the Senator from New York on reflection will remember that two or three of us were not in favor of the further continuance of the bill before the committee.

Mr. BAILEY. Mr. President, the Senator from New York

himself furnishes a very forcible illustration of the wisdom of leaving these matters to the Senators from the State affected. He says Chicago capitalists invested at one place and New York capitalists invested at another. Naturally, therefore, the New York Senators are for the New York capitalists and the Illinois Senators are for the Chicago capitalists. That would happen as certain as the matter was to be decided in that way.

As the Senator from Georgia very properly and very naturally says, Georgians being interested with New Yorkers at Sabine Pass, he would vote to establish the port there. Thus he would have Senators not responsible to the State in which these offices are to be located deciding the question merely upon their personal relations with constituents who are interested.

It is true that a firm of New York bankers have large interests at Sabine Pass. They appeal to the Senator from New York to protect them against the Senators from Texas, and the Senator from New York proceeds with his Republican majority on the committee to do so.

Now, Mr. President, in order that the Senate may understand the matter, and still without divulging the proceedings within the committee room, I will state that this was the third meeting at which I have appealed to the committee to report the bill. I would rather have had it reported adversely than to be confronted with a situation where I was powerless to secure from a committee of the Senate a report on a bill creating a port of entry in the State which I in part represent.

The Senator from New York says that a port of entry is not a local matter. I wonder how it would be if a Senator from another State should undertake to control the appointment of the collector of the port of the great State of New York. I remember a time when two Senators from that State resigned their seats in this body because they could not control that appointment, if newspaper reports at that time can be relied on.

If the officer is local, then surely the office must be local, and there is not a Senator on that side of the Chamber who would not, as a matter of self-respect, stoutly protest against the interference of a Senator from any other State in the naming of a customs officer to serve at the port of the State which he represents.

I need only repeat that it is impossible that the officer can be local and the office general.

Mr. DEPEW. Mr. President—

The PRESIDENT pro tempore. This debate is proceeding by unanimous consent. There is nothing before the Senate. The Senator from New York.

Mr. DEPEW. Mr. President, so far as the port of New York is concerned, there are three great revenue officers, the greatest that there are in the service of the Government in its revenue capacity. Ever since I can remember Senators from other States have not only taken an interest in, but they have frequently succeeded in having their choice made one of those three officers. The custom-house of New York has always had a large representation from almost every State in the Union of employees placed there by Senators from other States.

So far as the port of New York is concerned, the appropriations which are made for improvements in that port are subjects of consideration, of advice, and of action, friendly or adverse, by Senators from States who are upon the Committee on Commerce, and the Senators from all the States when it is a matter of controversy here.

In regard to this matter, I do not wish to differ in any way, nor do I think I do, with my friend from Georgia [Mr. CLAY]. As always happens in committee—I am not revealing the particular secrets of the committee—there was the informal discussion with a bare quorum, which was about to be lost by the retirement of one Senator; and while my friend from Georgia expressed the same view as he did here upon the floor, when I made the suggestion that, in justice to the Senator from Texas and all the interests represented, we should have a full meeting, with notice to each member that this question was to be decided, it was passed without a vote in that informal way in which things are done in committee.

In regard to this being a purely local matter, as a distinguished candidate for the Presidency on the Democratic side once said of the tariff, it is a great Government matter. The United States has already expended over \$3,000,000 at Sabine Pass, and the question is whether Port Arthur shall be made a port of entry instead of Sabine Pass, and whether the Government shall spend three or four or more million dollars, raised by taxation upon the whole country, for Port Arthur. Sabine Pass is on the border and has been regarded a subport of entry for many years. The Government has there established its custom-house, has built its wharves, and made an expenditure of some three and a half millions of dollars.

Now, then, these gentlemen from Chicago—all strong men—in the development of their interests have become established at Port Arthur, where a canal has been built from the present

port to a cow pasture 9 miles up, to where a port is to be established and a harbor established at the expense of the United States.

Mr. BAILEY. Will the Senator from New York tell me if he was ever at Port Arthur?

Mr. DEPEW. Never.

Mr. BAILEY. And yet the Senator makes that statement in reference to it?

Mr. DEPEW. I make it from the testimony before the committee.

Mr. BAILEY. You make that statement to the Senate upon the mere information of people interested. I tell the Senator that Port Arthur is nearly twice as large as Sabine Pass. I tell the Senator instead of the Government having built its custom-house at Sabine Pass and not at Port Arthur, they both to-day enjoy precisely the same privileges as subports of entry, but both of them are 160 miles from the main port of entry at Galveston. It is therefore desirable to make one a port of entry and the other a subport of entry.

I shall not discuss the relative merits of these two towns at this time; but I am a little surprised that the Senator from New York should undertake to describe a Texas town which he has never seen on information furnished him by boomers.

Mr. CULLOM. Mr. President—

Mr. DEPEW. Just one moment. The information was public testimony submitted before the committee at our last day's session. I make these assertions for the purpose of having the Senate understand that it is not purely a little local matter, which should be reported from the committee at the request of the Senator from the particular State in which it happens to be located, without the consideration and judgment of the committee.

Mr. CULLOM. Regular order, Mr. President.

The PRESIDENT pro tempore. Reports of committees are still in order. If there be no further reports, the introduction of bills and joint resolutions is in order.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. MARTIN. On behalf of my colleague [Mr. DANIEL], who is unavoidably detained from his seat, I introduce a number of bills, which are introduced "by request."

The bills were severally read twice by their titles, and referred to the Committee on Claims, as follows:

A bill (S. 6969) for the relief of the estate of Susan Richards, deceased;

A bill (S. 6970) for the relief of the estate of Jacob Cook, deceased;

A bill (S. 6971) for the relief of the estate of Zachariah F. Calbreath, deceased; and

A bill (S. 6972) for the relief of Mary E. Heller and the estate of David Heller, deceased.

Mr. TURNER introduced a bill (S. 6973) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, Title III, of an act of Congress, approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River, at Nome City, in the Territory of Alaska; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS introduced a bill (S. 6974) granting an increase of pension to Fidelia Palmer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 6975) for the relief of the heirs of William A. Redman, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 6976) for the relief of gaugers, storekeeper-gaugers, and storekeepers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Finance.

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

A bill (S. 6977) granting a pension to John R. McCullough (with the accompanying papers);

A bill (S. 6978) granting a pension to Benjamin F. Brockett; and

A bill (S. 6979) granting a pension to Orville T. Lee (with the accompanying papers);

Mr. GALLINGER introduced a bill (S. 6980) to provide for the care and treatment of persons who are suffering from insanity in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

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

A bill (S. 6981) granting an increase of pension to Lorenzo P. Dunklee;

A bill (S. 6982) granting an increase of pension to Linda F. Moulton;

A bill (S. 6983) granting an increase of pension to Gilman B. Johnson;

A bill (S. 6984) granting an increase of pension to Maria A. Marden; and

A bill (S. 6985) granting an increase of pension to George Cummings.

Mr. McENERY introduced a bill (S. 6986) for the relief of the legal representatives of Eliza E. Barrow, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 6987) for the relief of Marianne Morse; which was read twice by its title, and referred to the Committee on Claims.

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

A bill (S. 6988) granting an increase of pension to John W. Boulden (with the accompanying papers);

A bill (S. 6989) granting a pension to George E. Henneberger (with the accompanying paper);

A bill (S. 6990) granting an increase of pension to Mary E. Campbell; and

A bill (S. 6991) granting an increase of pension to Michael Murphy.

Mr. McCOMAS introduced a bill (S. 6992) to appoint Daniel Clarke, of Maryland, a captain of cavalry in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 6993) for the relief of the Hagerstown and Middleburg Turpike Company, of Washington County, Md.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CULBERSON introduced a bill (S. 6994) for the relief of Michael W. Loeb and Frederick Manzenheimer; which was read twice by its title, and referred to the Committee on Claims.

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

A bill (S. 6995) granting a pension to Salina T. Helms;

A bill (S. 6996) granting an increase of pension to Allen S. Conner (with the accompanying paper);

A bill (S. 6997) granting an increase of pension to William C. Shortridge;

A bill (S. 6998) granting an increase of pension to James H. Welch;

A bill (S. 6999) granting an increase of pension to Washington Duke; and

A bill (S. 7000) granting a pension to Lewis Gwinnup.

Mr. BEVERIDGE introduced a bill (S. 7001) to remove the charge of desertion from the military record of Henry L. Mitchell; which was read twice by its title, and, with accompanying papers, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 7002) for the relief of the contractor, or his legal representatives, for the construction of the light-draft monitor Etiah; which was read twice by its title, and referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 7003) granting an increase of pension to Sarah C. Merrell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 7004) to extend the time for the completion of a bridge across the Missouri River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TALIAFERRO introduced a bill (S. 7005) for the relief of the estate of Cyprian T. Jenkins, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 7006) for the relief of C. W. Moffatt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 7007) granting an increase of pension to Fannie T. Fisher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 7008) granting an increase of pension to Jesse Maurer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 7009) to provide for fixing a uniform standard of classification and grading of wheat, flax, corn, oats, barley, rye, and other grains, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HOAR introduced a bill (S. 7010) granting a pension to Catherine McGuinn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 7011) for the relief of Catherine Grace; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 7012) granting an increase of pension to Thomas Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 7013) to amend sections 34, 40, 66, 69, 72, 75, 77, 82, and 86 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, and for other purposes; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 7014) to provide for the purchase of a site and the erection of a public building thereon at Honolulu, island of Oahu, Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 7015) to provide for the purchase of a site and the erection of a public building thereon at Hilo, island of Hawaii, Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. BURTON introduced a bill (S. 7016) to correct the military record of Edward Van Antwerp; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

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

A bill (S. 7017) granting an increase of pension to Martin L. Barber;

A bill (S. 7018) granting a pension to Mary K. Hudson;

A bill (S. 7019) granting an increase of pension to John A. McCloud; and

A bill (S. 7020) granting an increase of pension to T. N. Rackhold.

Mr. PERKINS introduced a bill (S. 7021) granting a pension to Gen. Edward M. McCook; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS (for Mr. PENROSE) introduced a bill (S. 7022) granting an increase of pension to Louise Ward; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 7023) to correct the military record of William P. Fitzpatrick; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

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

A bill (S. 7024) granting an increase of pension to Charles M. Clark (with the accompanying papers);

A bill (S. 7025) granting a pension to Ada L. Carpenter (with the accompanying papers); and

A bill (S. 7026) granting a pension to Mary E. Darcey (with the accompanying paper).

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

A bill (S. 7027) granting an increase of pension to Honora H. Murray (with the accompanying paper); and

A bill (S. 7028) granting an increase of pension to George H. Chase (with the accompanying paper).

Mr. HALE introduced a bill (S. 7029) authorizing the appointment of Daniel Clarke to be a captain of cavalry, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 7030) for the relief of pensioners of the Metropolitan police fund; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 7031) granting a pension to David D. Jones; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 7032) to restore American citizenship to any woman whose citizenship has been lost or suspended by marriage with a foreigner; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TILLMAN introduced a bill (S. 7035) for the relief of William M. Bird, James F. Redding, Henry F. Welch, and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a joint resolution (S. R. 153) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893; which was read twice

by its title, and referred to the Committee on the District of Columbia.

He also introduced a joint resolution (S. R. 154) to prevent the location of buildings within the limits of Massachusetts avenue extended, District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MASON introduced a joint resolution (S. R. 155) authorizing the Secretary of War to loan certain tents for use at Knights of Pythias encampment to be held at St. Louis, Mo., August 24 to 31, 1903; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. GALLINGER submitted an amendment relative to the condemnation of Massachusetts avenue extended NW., between Joliet street and Fairview Heights subdivision, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. BARD submitted an amendment proposing to appropriate \$100,000 for the purchase and improvement of a suitable site for the establishment of a military post in the vicinity of Los Angeles, Cal., intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment relative to the removal of the Mission Indians of California and their reestablishment upon such tract or tracts of land as may be acquired, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate \$39,795.34 to pay the claim of the Cuban Submarine Telegraph Company for expenses incurred in repairing damage done to its cables by United States war vessels during the recent war between the United States and Spain, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Relations with Cuba, and ordered to be printed.

Mr. MITCHELL submitted an amendment proposing to appropriate \$4,000 for completing the post-office building and approaches to the same at Salem, Oreg., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,000 for the purchase, from Francis B. Heitman, of the manuscript of the Historical Register of the United States Army from 1789 to 1901, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$15,000, to be divided equally between the Department of Agriculture and the Department of the Interior, to enable the Secretary of Agriculture to examine into all matters concerning agriculture, forestry, and public roads of the Territory of Hawaii, and to enable the Secretary of the Interior to examine the laws of Hawaii relating to its public lands, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

He also submitted the following amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

An amendment proposing to appropriate \$100,000 to enable the Secretary of War to make a survey and estimate for the construction of a breakwater from the ocean along Blonde Reef to Coconut Island, for the protection of the harbor at Hilo, island of Hawaii, Territory of Hawaii; and

An amendment proposing to appropriate \$250,000 to enable the Secretary of War to improve the entrance to the harbor at Honolulu, Hawaii.

He also submitted the following amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

An amendment proposing to appropriate \$10,000 for the construction of a first-class light-house upon the point of Mokepuw, Island of Oahu;

An amendment proposing to appropriate \$20,000 for the construction of a new light-house at Kaluhui, island of Maui;

An amendment proposing to appropriate \$10,000 for the construction of a new light-house on the coast of Puna, island of Hawaii;

An amendment proposing to appropriate \$10,000 for the construction of a new light-house on Lelewi Point, island of Hawaii;

An amendment proposing to appropriate \$5,000 for the construction of a new light-house at Kailua, on the island of Hawaii;

An amendment proposing to appropriate \$5,000 for the construction of appropriate commercial lights at Barbel Point, island of Oahu;

An amendment proposing to appropriate \$5,000 for the construction of appropriate commercial light at Keahole, North Kona; and

An amendment proposing to appropriate \$5,000 for the construction of two new lights in Honolulu Harbor, island of Hawaii.

He also (for Mr. CLAPP) submitted an amendment proposing to appropriate \$2,000 for director of the laboratory in the Department of the Interior to study the criminal, pauper, and defective classes, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. QUAY submitted an amendment relative to the adjudication by the Court of Claims of any claim the Chippewa Indians of the State of Minnesota, or any band thereof, may have against the United States, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (H. R. 12270) to provide for the allotment of lands in severalty to the Indians in the State of New York, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate \$11,000 for the purchase of 260 acres of land adjoining the Government reservation at Monterey, Cal., to complete military camp and target grounds, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$360,000 to enable the Secretary of War to purchase 24,000 acres of land in the Nacimiento ranch, in Monterey and San Luis Obispo counties, California, for the purpose of establishing a permanent camp ground for the instruction and maneuvering of troops of the Regular Army and National Guard, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. FRYE submitted an amendment intended to be proposed by him to the bill (S. 6098) to regulate the retirement of veterans of the civil war; which was referred to the Committee on Military Affairs, and ordered to be printed.

DISCRIMINATION AGAINST PRODUCTS OF THE UNITED STATES.

Mr. LODGE. I offer the resolution which I send to the desk. The PRESIDENT pro tempore. The resolution will be read. The Secretary read the resolution, as follows:

Resolved, First, that the Committee on Finance be instructed to inquire and report to the Senate whether any, and if so what, countries discriminate against any article or articles the growth or product of the soil or industry of the United States by levying upon such article or articles duties, imposts, excises, or taxes in excess of those levied upon similar articles imported from other countries, or, further, in any way fail to admit the products of the United States on terms as favorable as those accorded to any other nation.

Second, that if it should appear that any country or countries discriminate against the United States in the manner aforesaid the Committee on Finance shall report to the Senate whether it is not advisable that a suitable law should be enacted by which maximum and minimum rates of duty shall be established in such manner as to give preference and advantage in rates of duty to the products of those countries which do not discriminate against the products of the soil or industry of the United States, but admit them on an exact equality with similar articles the products of other countries and on the terms and at the rates of duty accorded to the most favored nation.

Mr. LODGE. Mr. President, I will ask that the resolution be referred to the Committee on Finance, or that any disposition may be made of it which is agreeable to the chairman of the committee, the Senator from Rhode Island [Mr. ALDRICH].

Mr. ALDRICH. I should like to make a brief statement in regard to some of the matters referred to in the resolution, but in view of the notice given by the Senator from Illinois [Mr. CULLOM], I shall refrain from doing so this morning, and ask that the resolution may lie on the table, to be called up to-morrow morning.

The PRESIDENT pro tempore. The resolution will go over under the rule.

CONCORDAT BETWEEN COLOMBIA AND POPE LEO XIII.

Mr. MORGAN. I submit the resolution which I send to the desk, and ask unanimous consent for its present consideration. The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That there be printed, for the use of the Senate, the concordat between Colombia and Pope Leo XIII, promulgated February 24, 1888, and article 34 of law 30 of 1888 of said Republic of Colombia.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. LODGE. I did not hear the reading of the resolution. The PRESIDENT pro tempore. The resolution will be again read.

The Secretary again read the resolution.

Mr. LODGE. I have no objection.

The resolution was considered by unanimous consent, and agreed to.

Mr. MORGAN. I ask that the concordat between the Republic of Colombia and Pope Leo XIII may also be printed in the RECORD. It is short and very important.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

The concordat referred to is as follows:

Mr. Walker to Mr. Bayard.

No. 95.]

LEGATION OF THE UNITED STATES,
Bogota, March 7, 1888. (Received April 6.)

SIR: As a subject which may be of interest to the State Department and important to some of our citizens coming to this country to reside, I have the honor to inclose herewith a copy, in Spanish, of the "Concordat" recently celebrated between the Holy See of Rome and the Colombian Government, with a careful translation. In making this translation I regretted that I did not have access to the original Latin text in which it was drawn up and signed, but had to content myself with the Spanish translation, which in some of the articles is vague and ambiguous. The first clause of the seventeenth article is so much so that in my translation I was forced to be paraphrastic rather than literal.

As a part of the same subject I herewith transmit a copy, with translation, of law 90, passed by the legislative council on the 25th of February last, which virtually annuls all civil marriages celebrated at any time in the past, unless the ceremony was also performed canonically. The annulment of the marriage, however, does not illegitimize the children of such marriage.

I am, sir, etc.,

JNO. G. WALKER.

[Inclosure 1 in No. 95.—Translation.]

CONCORDAT ENTERED INTO BETWEEN POPE LEO XIII AND THE REPUBLIC OF COLOMBIA.

[Concluded December 31, 1887. Ratified by the legislative council of Colombia February 24, 1888.]

In the name of the most holy and indivisible Trinity, the Supreme Pontiff, Leo XIII, and the most excellent Rafael Nuñez, President of the Republic of Colombia, by their respective representatives, to wit, on the part of His Holiness, the most eminent Monsignore Mariana Rampolla del Tindaro, cardinal presbyter of the most holy church of St. Cecilia and papal secretary of state; and on the part of the Republic, His Excellency Joaquin Vélez, envoy extraordinary and minister plenipotentiary near the Holy See, who, after a mutual exchange of credentials, have concluded the following convention:

ART. 1. The Catholic, Roman, Apostolic is the religion of Colombia, the public authorities of which shall recognize it as an essential element of social order, and they bind themselves to protect it in all its rights and privileges, and to cause it and its ministers to be respected.

ART. 2. The Catholic Church shall be free and independent of the civil authority and shall freely exercise all its spiritual authority and jurisdiction, conforming in its administrative government solely to its own laws.

ART. 3. Canonical legislation shall be free of the civil, and shall form no part of the latter, but will be respected by the latter.

ART. 4. The church, represented by its hierarchical authorities, is recognized by the state as a true and legitimate entity, with capacity to exercise and enjoy all rights pertaining to such.

ART. 5. The church has the right of acquiring, possessing, and administering real and personal property, in accordance to general laws, and its lands and establishments shall be no less inviolable than those of the citizens of the Republic.

ART. 6. Ecclesiastical property may be taxed in the same manner and to the same extent as the property of private individuals, except edifices for public worship, theological seminaries, and the residences of the clergy, which are exempt from all taxation, occupation, or appropriation to other uses.

ART. 7. The secular and regular clergy shall not be required to perform public duties incompatible with their ministry and profession, and at all times shall be exempt from military service.

ART. 8. The government shall enact such laws as will protect the sacerdotal dignity whenever, for any cause, a minister of the church may figure in criminal trials.

ART. 9. Diocesan bishops and parish priests may claim from the faithful the emoluments and ecclesiastical fees canonically and equitably established, either by the immemorial custom of the diocese or by the rules of religious services; and in order that such acts and obligations may produce civil effects, and that the temporal authority may lend its support, the bishops shall proceed in accord with the government.

ART. 10. Competent ecclesiastical authority has the right in Colombia to establish religious orders of both sexes, to be governed by suitable constitutions. But in order to secure the enjoyment of the rights of a lawful corporation and the protection of the laws, they must present to the civil authorities the canonical authorization issued by their ecclesiastical superior.

ART. 11. The Holy See will lend its support and cooperation to the Government for the establishment in Colombia of religious institutions, giving preference to those for charitable purposes, for missions, for the education of youth, and for general education, and to other works of public utility and beneficence.

ART. 12. Public education and instruction in universities, colleges, schools, and in other centers of instruction shall be organized and directed in conformity with the dogmas and moral teachings of the Catholic Church.

ART. 13. Consequently, in such centers of instruction the respective diocesan bishops, either by themselves or by special delegation, shall exercise the right, in whatever concerns religion and morals, to inspect and revise the text-books in use in the same.

The archbishop of Bogotá shall prescribe the text-books relating to religion and morals to be used in the universities; and to insure uniformity of teaching on those subjects, said prelate, in connection with other bishops, shall choose the text-books for the other schools of official instruction.

The Government shall see that no lectures are delivered on literary, scientific, or general subjects in any branch of learning that inculcate ideas contrary to Catholic dogmas or calculated to lessen the respect due to the church.

ART. 14. If, in spite of the orders and precautions of the Government, the moral and religious teaching (in universities, colleges, etc.) shall not conform

to Catholic doctrines, the respective dioceses may withdraw from the offending professors and masters the privilege of teaching in such branches.

ART. 15. The Holy See has the right to fill vacancies in the archbishoprics and bishoprics, but the Holy Father, as an evidence of special deference and to the end of preserving perfect harmony between the church and the state, agrees that in filling such vacancies the previous consent of the President shall be obtained. To that end, when such vacancies occur, the President may recommend directly to the Holy See such ecclesiastics as in his judgment unite in themselves the gifts and qualifications necessary for the episcopal dignity; and the Holy See, on its part, before making the appointment, shall always communicate the names of the candidates for promotion in order to ascertain whether or not the President considers the candidates civilly or politically disqualified for such positions. Vacancies in the bishoprics to be filled as soon as possible, and in no case to remain unfilled for more than six months.

ART. 16. The Holy See may erect new dioceses, or change the limits of those existing, whenever it is thought opportune and useful for the better care of souls, previously consulting the Government and admitting such suggestions as may be reasonable and just.

ART. 17. All persons professing the Catholic religion, desirous of contracting marriage, should have the ceremony performed according to the rites of the church.

The civil effects of marriage, in respect to the persons and property of the contracting parties and their descendants, can only be secured when the marriage is performed in accordance with the prescriptions of the Council of Trent. This celebration shall be witnessed by the functionary who may be designated by law for the sole purpose of verifying the entry of the marriage in the civil registry. But in cases of marriage *in articulo mortis*, when this formality might be difficult of observance, it may be dispensed with, and other proof substituted.

It being the business of the contracting parties to secure the intervention of the civil functionary for the registry, the duty of the clergyman is limited to an admonition as to the requirements of the civil law.

ART. 18. In order to give marriages celebrated at whatever period, according to the prescriptions of the Council of Trent, civil effect, suppletory evidence of ecclesiastical origin will be given preference.

ART. 19. Matrimonial causes affecting the married relation, cohabitation, and the validity of espousals pertain exclusively to the ecclesiastical authority, the civil consequences of marriage to the temporal.

ART. 20. The armies of the Republic shall enjoy the indulgences known as castrenses, to be regulated by the Holy Father in a separate act.

ART. 21. Following the divine offices there shall be offered up in all the churches of the Republic the following prayers: Domine salvam fac Rempublicam; Domine salvum fac Præsidentem ejus et supremas ejus auctoritates.

ART. 22. The government of the Republic recognizes in perpetuity as a consolidated debt the value of the redeemed annuities (censos) now in the treasury, and of the estates belonging to the church fraternities, charitable foundations, chapels, establishments for instruction and benevolence erected by the church, which at any time may have been inscribed in the public debt of the nation. This recognized debt is to bear interest without diminution at the annual rate of 4½ per cent, payable every six months.

ART. 23. The income arising from sequestered benefices and tithings pertaining to charitable institutions, chapels, monasteries, and other separate foundations is recognized and shall be paid to those who have the right to receive them, or to their legal representatives. This payment shall be made without diminution, as is provided for in the last preceding article, to commence with year 1888. In case any such bodies have become extinct, the amounts due them by a previous arrangement with the Government shall be applied to pious and charitable objects, without in any case contravening the intention of the founders.

ART. 24. In view of the present condition of the national treasury of Colombia and the benefit derived by the church from the observance of this convention, the Holy See makes the following relinquishments:

(a) The value of the principal of the sequestered property belonging to the aforesaid extinct convents and religious bodies of both sexes, not included in the foregoing articles, and which has not in any manner been recognized. (b) Whatever is due to such extinct organizations for rents or interest already accrued, or in whatever manner resulting, from said sequestration previous to the 31st of December, 1887.

ART. 25. In consideration of the foregoing favor the Government of Colombia agrees to secure, in perpetuity, an annual net sum, hereby fixed at 100,000 Colombian dollars, to be increased when the said treasury is in a better condition, said payments to be applied to the uses of the dioceses, chapters, seminaries, missions, and such other civilizing works of the church, and in such manner as may be agreed upon between the high contracting parties.

ART. 26. The surviving members of the extinct religious communities shall continue in the enjoyment, for their maintenance and other necessities, of such revenues as may have belonged to them by virtue of previous laws and decrees.

ART. 27. In like manner shall be paid the rents and incomes set aside by anterior laws and decrees for the support of public worship in churches, chapels, and other religious places not included in article 22. If concerning this point there should be doubt or difficulty, the Government shall communicate with the competent ecclesiastical authorities, to the end that a good understanding may be arrived at.

ART. 28. The Government shall return to religious bodies such of their sequestered property as has no distinct destination; but if the owner does not come forward, or if he fills no ecclesiastical office, it may be sold and the proceeds applied to pious and benevolent objects, according to the most pressing needs of each diocese, the proceeding in such cases to be in accord with the ecclesiastical authorities.

ART. 29. The Holy See, in order to secure public tranquillity, declares, for its part, that persons who purchased ecclesiastical property during the past changes in Colombia, or who have redeemed annuities (censos) in the national treasury, according to the provisions of the civil law at the time in force, shall not be disturbed in any manner by the ecclesiastical authorities, a favor extended not only to those who performed the acts, but to those who, in the exercise of whatsoever functions, may have taken part in the same, in such manner that the first purchasers, as well as their legal successors and those who have redeemed annuities (censos), shall enjoy in peace and security such property, its products and emoluments, stipulating, however, that the Republic shall not in future repeat similar acts of seizure.

ART. 30. The Government of the Republic shall arrange with the respective diocesan bishops all that relates to cemeteries, reconciling the exigencies of their civil and sanitary character with the veneration due the sacredness of such places and with ecclesiastical prescriptions. In case of misunderstandings on such subjects they will be arranged between the Holy See and the Government.

ART. 31. Agreements between the Holy See and the Government of Colombia for fostering Catholic missions among the barbarous tribes shall not require the after approval of Congress.

ART. 32. The present convention repeals and renders null and void all laws, orders, and decrees, in whatsoever mode or period they were promulgated,

in such parts as may contradict or are inconsistent with this convention, which shall remain the permanent law of the State.

ART. 33. The ratification of this convention shall take place within six months from the date of its signature, or sooner, if possible.

In faith whereof the said plenipotentiaries sign and seal this convention. Done at Rome the 31st day of December, 1887.

M. CARDINAL RAMPOLLA.
JOAQUIN F. VELEZ.

NATIONAL LEGISLATIVE COUNCIL,
Bogotá, February 24, 1888.

Considering (1) that in the celebration of the foregoing convention the Government has acted within the powers conferred upon it by article 56 of the fundamental law of the Republic;

(2) That by this agreement, which satisfactorily and consistently settles all pending questions between the church and the state in conformity with the new national régime, and at the same time responds to imperious necessity and public well-being, which demanded the definition of the mutual relations between the civil and the ecclesiastical powers; and

(3) That its stipulations conform strictly to the provisions of articles 38, 41, 47, 53, 54, and 55 of the constitution.

It is decreed—

ART. I. That the foregoing convention is hereby approved and incorporated in the present law.

ART. II. The amount to be paid out of the treasury of the Republic to fulfill its obligations thereby created is hereby appropriated, and will be included in the budget of the present fiscal period.

Given at Bogotá this 24th day of February, 1888.

CARLOS CALDERON, R.,
President.
JOSÉ MARIA RUBIO, F.,
Vice-President.
ROBERTO DE NARVAEZ,
MANUEL BRIGABO,
Secretaries.

EXECUTIVE GOVERNMENT,
Bogotá, February 27, 1888.

RAFAEL NUÑEZ.

Let it be published and executed.

[L. s.]
(Countersigned.)

VICENTE RESTREPO,
Minister of Foreign Affairs.

[Inclosure 2 in No. 95—Translation—Extract from law 30, of 1888.]

ART. 34. A marriage contracted in conformity with the rites of the Catholic religion annuls ipso jure a purely civil marriage previously entered into with another person.

ART. 35. For purely civil effects, the law recognizes the legitimacy of the children conceived previously to the annulment of the civil marriage, in accordance with the provisions of the last preceding article.

ART. 36. The man who after having contracted a civil marriage, afterwards marries another woman according to the rites of the Catholic Church is required to provide subsistence to the woman and his children by her until she marries canonically.

ATTORNEYS' FEES BEFORE SPANISH CLAIMS COMMISSION.

Mr. HALE. I offer the following resolution, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.
The Secretary read the resolution, as follows:

Resolved, That the clerk of the Spanish Treaty Claims Commission be directed to inform the Senate what contracts appear from the papers on file to have been made with attorneys to pay fees for the prosecution of the claims, and what action, if any, has been taken or recommendations made by the Commissioners, or any of them, on the subject of the fees of attorneys.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. HALE. I do not know, Mr. President, but as a matter of form the resolution should be directed to the Spanish Treaty Claims Commission itself, and not to its subordinate official, the clerk. I think that form is better.

The PRESIDENT pro tempore. The resolution will be so modified. The question is on agreeing to the resolution as modified. The resolution as modified was agreed to.

DEPARTMENT OF COMMERCE AND LABOR.

The PRESIDENT pro tempore. The Chair lays before the Senate the amendment, in the nature of a substitute, of the House of Representatives to the bill (S. 569) to establish a department of commerce and labor.

Mr. NELSON. I move that the Senate disagree to the amendment of the House of Representative and ask for a committee of conference with the House, the Chair to appoint the conferees.

Mr. SPOONER. I hope the Senator will allow the amendment to be printed. We may want to amend the amendment of the House of Representatives.

Mr. NELSON. I ask that the bill may be printed as it has been amended by the House of Representatives.

The PRESIDENT pro tempore. And no further action taken to-day?

Mr. SPOONER. I hope the Senator will not ask for the appointment of a committee of conference to-day. The Senate may want to amend the House amendment.

Mr. CULLOM. Let it go over.

Mr. NELSON. I think the usual course in such cases is to appoint a committee of conference.

Mr. ALDRICH. The amendment of the House of Representatives is a very short one, I suppose, and I suggest that it be read, and then it will appear in the RECORD.

Mr. NELSON. The amendment is in the form of a substitute for the Senate bill.

Mr. ALDRICH. Will it take long to read the House substitute?

Mr. NELSON. Yes; it will take quite a while.

Mr. ALDRICH. Then I withdraw the request.

Mr. SPOONER. Do I understand the Senator from Minnesota to ask for action on this matter to-day?

Mr. NELSON. Not at all. I simply moved to disagree to the amendment of the House of Representatives and ask for a committee of conference. I do not intend to bring the matter up this morning.

Mr. BAILEY. Mr. President, I desire to ask a question in regard to a parliamentary matter. If that motion should be agreed to, would the amendment of the House of Representatives be open to amendment afterwards if the conference committee report it?

Mr. ALDRICH. It would be after the report of the conference committee, if—

Mr. BAILEY. The report of a conference committee must be adopted or rejected as a whole, as I understand.

Mr. ALDRICH. That is, if they come to a final agreement.

Mr. BAILEY. Yes.

Mr. ALDRICH. If they come to a partial agreement on the matters in dispute, it would still be amendable.

Mr. BAILEY. That is my understanding. Of course, either House can agree to an amendment of the other House with an amendment, or as long as the matter is open between the conferees, then it is open between the Houses. When it is closed by the conferees, then either House, both Houses indeed, must accept it as a whole or reject it as a whole.

Mr. HALE. Undoubtedly.

Mr. BAILEY. And it looks to me like it is rather a dangerous proposition for the Senate to put it in a position where we must reject it all or accept it all.

Mr. HALE. I hope the Senator from Minnesota will not now ask the Senate to send this matter to a committee of conference. It is a very important bill, and very important amendments have been made by the House. Before it goes to a committee of conference, with the tremendous power that such a committee has, the Senate ought to be able to see it, and if any Senator desires it he should be given an opportunity to vote upon concurring in certain House amendments. Otherwise the whole scope and power of dealing with this important subject is left to the conference committee, and when it reports we are substantially helpless here. As the Senator from Texas has said, if the committee agrees in conference we can only accept or reject the report. Senators know how difficult it is on a conference report to make any change whatever. It is not in the interest of delay, nor of anything unfair, to ask the Senator to let this matter stand over.

I think the bill, with the House amendments, had better be printed, so that Senators can see what is in it, and then, if any Senator desires to move to concur, it can be done. After that, after it has passed through that proper crucible, then, of course, it will go to the conference committee.

I ask that the bill go over and be printed with the House amendments, in order that the Senate may see it.

Mr. ALDRICH. Have it printed in the RECORD.

Mr. HALE. Let it be printed in the RECORD. That is better still.

Mr. COCKRELL. And also as a bill, so that we may have it before us.

Mr. HALE. I ask that it be printed in the RECORD, and also as a bill.

The PRESIDENT pro tempore. The Senator from Maine asks that the bill may lie on the table—

Mr. HALE. Yes.

The PRESIDENT pro tempore. That it lie on the table and be printed as a bill, and also in the RECORD.

Mr. HALE. With the House amendments.

The PRESIDENT pro tempore. With the House amendments? Is there objection to the request? The Chair hears none, and that order is made.

Mr. ALLISON. Before this question passes away, I wish to state that I understand that the House has passed a substitute for the Senate bill. Therefore everything that is in either bill or that is projected in either bill will be within the control of the conferees on the part of the two Houses, substantially giving them the power to make a new bill. So I think it very well for us to ascertain what the differences are, and if in some way we can have the bill printed, so that we can see at a glance what the House have agreed to that was in the original bill and what they propose to substitute for the text in other places, I think it would be advantageous. I do not know that it can be done.

Mr. HALE. I fancy the clerks, in their aptitude in all such matters, can present to us to-morrow morning in print what will show the original Senate bill and the changes proposed by the

House, so that at a glance every Senator will be informed as to the situation.

The PRESIDENT pro tempore. The Chair is informed that there is great demand for this bill, and suggests to the Senator from Maine, if he will allow the Chair to do so, that he ask for the printing of an additional number.

Mr. HALE. I think that is a very good suggestion. We had better have 500 additional copies.

The PRESIDENT pro tempore. Five hundred?

Mr. ALLISON. A thousand.

Mr. HALE. A thousand,

The PRESIDENT pro tempore. The Senator from Maine asks that a thousand additional copies of the bill be printed. Is there objection? The Chair hears none, and it is so ordered.

Mr. NELSON. On account of the opposition to the bill going into conference, I think it had better be referred to the Committee on Commerce; and I move that it be referred to the Committee on Commerce, with the amendments.

Mr. HALE. There is no objection to that course, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Minnesota that the bill be referred to the Committee on Commerce.

Mr. COCKRELL. And be printed, as a matter of course.

The PRESIDENT pro tempore. That order has already been made. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

The bill as passed by the Senate and the substitute therefor proposed by the House of Representatives are as follows:

An act (S. 569) to establish the department of commerce and labor.

Be it enacted, etc., That there shall be at the seat of government an executive department to be known as the department of commerce and labor, and a secretary of commerce and labor, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$8,000 per annum, and whose term and tenure of office shall be like that of the heads of the other Executive Departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department.

SEC. 2. That there shall be in said department an assistant secretary of commerce and labor, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$4,000 a year. He shall perform such duties as shall be prescribed by the secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive all accounts accruing in or relative to the department of commerce and labor and examine the same, and thereafter certify the balance and transmit the accounts, with the vouchers and certificate, to the Comptroller of the Treasury for his decision thereon.

SEC. 3. That it shall be the province and duty of said department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law.

SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Life-Saving Service, the Light-House Board, and the Light-House Service, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation and the United States Shipping Commissioners, the Bureau of Immigration, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the department of commerce and labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department; and that the Census Office, and all that pertains to the same, be, and the same hereby are, transferred from the Department of the Interior to the department of commerce and labor, to remain henceforth under the jurisdiction of the latter; that the Department of Labor, and the office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the department of commerce and labor; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the department of commerce and labor and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the department of commerce and labor; and the two shall constitute one bureau to be called the bureau of statistics with a chief of the bureau and one assistant; and that the secretary of commerce and labor shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his department; and to this end said secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interest; and said secretary shall also have authority to call upon other Departments of the Government for statistical data and results obtained by them; and said secretary of commerce and labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the department of commerce and labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the department of commerce and labor.

SEC. 5. That there shall be in the department of commerce and labor a bureau to be called the bureau of manufactures, and a chief of said bureau, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of \$3,000 per annum. There shall also be in said bureau one chief clerk and such other clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said bureau, under the direction of the secretary, to foster,

promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the secretary or provided by law. And all consular officers of the United States, including consuls-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, such reports to be transmitted through the State Department to the secretary of the department of commerce and labor.

SEC. 6. That the jurisdiction, supervision, and control now possessed and exercised by the Department of the Treasury over Chinese immigration, and over the fur-seal, salmon, and other fisheries in Alaska, be, and the same hereby is, transferred to and vested in the department of commerce and labor.

SEC. 7. That the secretary of commerce and labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department, and describing the work done by the department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he, himself, may deem necessary and urgent.

SEC. 8. That the secretary of commerce and labor shall have charge, in the buildings or premises occupied by or appropriated to the department of commerce and labor, of the library, furniture, fixtures, records, and other property pertaining to it, or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the department of commerce and labor within the district of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the department of commerce and labor by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the department of commerce and labor are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the department of commerce and labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

SEC. 9. That all power and authority heretofore possessed or exercised by the head of any executive department over any bureau, office, branch, or division of the public service by this act transferred to the department of commerce and labor, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character, or otherwise, shall hereafter be vested in and exercised by the head of the said department of commerce and labor. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

SEC. 10. A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers, the requests of the secretary of commerce and labor, and to prepare from the dispatches of consular officers, for transmission to the secretary of commerce and labor, such information as pertains to the work of the department of commerce and labor, and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

SEC. 11. This act shall take effect and be in force from and after its passage.

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,

January 15, 1903.

Resolved, That the bill from the Senate (S. 569) entitled "An act to establish the department of commerce and labor" do pass with the following amendment:

Strike out all after the enacting clause and insert:

"That there shall be at the seat of government an executive department to be known as the department of commerce and labor, and a secretary of commerce and labor, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$8,000 per annum, and whose term and tenure of office shall be like that of the heads of the other Executive Departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The said secretary shall cause a seal of office to be made for the said department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

"SEC. 2. That there shall be in said department an assistant secretary of commerce and labor, to be appointed by the President, who shall receive a salary of \$5,000 a year. He shall perform such duties as shall be prescribed by the secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive all accounts accruing in or relative to the department of commerce and labor and examine the same, and certify the balances arising thereon to the Secretary of the Treasury in the same manner as the balances on similar accounts are certified under existing law.

"SEC. 3. That it shall be the province and duty of said department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law. All unexpended appropriations, which shall be available at the time when this act takes effect, in relation to the various offices, bureaus, divisions, and other branches of the public service, which shall, by this act, be transferred to or included in the department of commerce and labor, or which may hereafter, in accordance with the provisions of this act, be so transferred, shall become available, from the time of such transfer, for expenditure in and by the department of commerce and labor, and shall be treated the same as though said branches

of the public service had been directly named in the laws making said appropriations as parts of the department of commerce and labor, under the direction of the secretary of said department.

"SEC. 4. That the following named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Light-House Board, the Light-House Establishment, the National Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-General of Immigration, the commissioners of immigration, the Bureau of Immigration, the immigration service at large, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the department of commerce and labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department; and that the Census Office, and all that pertains to the same, be, and the same hereby is, transferred from the Department of the Interior to the department of commerce and labor, to remain henceforth under the jurisdiction of the latter; that the Department of Labor, the Fish Commissioner, and the Office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the department of commerce and labor; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the department of commerce and labor and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the department of commerce and labor, and the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the bureau; and that the secretary of commerce and labor shall have control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his department; and the secretary of commerce and labor is hereby given the power and authority to rearrange the statistical work of the bureaus and offices confided to said department, and to consolidate any of the statistical bureaus and offices transferred to said department; and said secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and said secretary of commerce and labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

"That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the department of commerce and labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the department of commerce and labor.

"SEC. 5. That there shall be in the department of commerce and labor a bureau to be called the bureau of manufactures, and a chief of said bureau, who shall be appointed by the President, and who shall receive a salary of \$4,000 per annum. There shall also be in said bureau such clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said bureau, under the direction of the secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the secretary or provided by law. And all consular officers of the United States, including consuls-general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the subject enumerated in section 3 of this act in the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports as often as required of the information and statistics thus gathered and compiled, such reports to be transmitted through the State Department to the secretary of the department of commerce and labor.

"SEC. 6. That there shall be in the department of commerce and labor a bureau to be called the bureau of corporations, and the chief of said bureau shall be appointed by the President and shall receive a salary of \$4,000 per annum. There shall also be in said bureau such clerks and assistants as may from time to time be authorized by law. It shall be the province and duty of said bureau, under the direction of the secretary of commerce and labor, to gather, compile, publish, and supply useful information concerning such corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, and to attend to such other duties as may be hereafter provided by law.

"SEC. 7. That the jurisdiction, supervision, and control now possessed and exercised by the Department of the Treasury over the fur-seal, salmon, and other fisheries of Alaska and over the immigration of aliens into the United States, its waters, territories and any place subject to the jurisdiction thereof, are hereby transferred and vested in the department of commerce and labor. That the authority, power, and jurisdiction now possessed and exercised by the Secretary of the Treasury by virtue of any law in relation to the exclusion from and the residence within the United States, its territories and the District of Columbia, of Chinese and persons of Chinese descent, are hereby transferred to and conferred upon the secretary of commerce and labor, and the authority, power, and jurisdiction in relation thereto now vested by law or treaty in the collectors of customs and the collectors of internal revenue are hereby conferred upon and vested in such officers under the control of the Commissioner-General of Immigration as the secretary of commerce and labor may designate therefor.

"SEC. 8. That the secretary of commerce and labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department, and describing the work done by the department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the department. He shall also from time to time make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he himself may deem necessary and urgent.

"SEC. 9. That the secretary of commerce and labor shall have charge, in the buildings or premises occupied by or appropriated to the department of commerce and labor, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the department of commerce and labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the department of commerce and labor by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred

to the department of commerce and labor are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the department of commerce and labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

"SEC. 10. That all power and authority heretofore possessed or exercised by the head of any executive department over any bureau, office, branch, or division of the public service by this act transferred to the department of commerce and labor, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said department of commerce and labor. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

"SEC. 11. A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers, the requests of the secretary of commerce and labor; and to prepare from the dispatches of consular officers, for transmission to the secretary of commerce and labor, such information as pertains to the work of the department of commerce and labor; and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistants as may from time to time be authorized by law.

"SEC. 12. That the President be, and he is hereby, authorized, by order in writing, to transfer at any time the whole or any part of any office, bureau, division, or other branch of the public service engaged in statistical or scientific work, or the Interstate Commerce Commission, to the department of commerce and labor; and in every such case the duties and authority performed by and conferred by law upon such office, bureau, division, or other branch of the public service, or the part thereof so transferred, shall be thereby transferred with such office, bureau, division, or other branch of the public service, or the part thereof which is so transferred. And all power and authority conferred by law, both supervisory and appellate, upon the department from which such transfer is made, or the secretary thereof, in relation to the said office, bureau, division, or other branch of the public service, or the part thereof so transferred, shall immediately, when such transfer is so ordered by the President, be fully conferred upon and vested in the department of commerce and labor, or the secretary thereof, as the case may be, as to the whole or part of such office, bureau, division, or other branch of the public service so transferred.

"SEC. 13. That this act shall take effect and be in force from and after its passage: *Provided, however,* That the provisions in this act in relation to the transfer of any existing office, bureau, division, officer, or other branch of the public service or authority now conferred thereon, to the department of commerce and labor shall take effect and be in force on the 1st day of July, 1908, and not before."

SAFETY APPLIANCES UPON RAILROADS.

Mr. FORAKER. I ask for a reprint of Report No. 1930, Fifty-seventh Congress, first session, regarding the safety of employees and travelers upon railroads.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio?

Mr. COCKRELL. That would provide for the usual number, and they would be distributed just as the others were. I suppose the Senator wants them for distribution.

Mr. FORAKER. I was told that the document was exhausted; that there were no more left.

Mr. COCKRELL. It would give a great many more if the Senator would ask to have it reprinted for the use of the Senate and placed in the Senate document room.

Mr. FORAKER. Very well. I ask that it be reprinted for the use of the Senate.

Mr. COCKRELL. That a thousand copies of it be reprinted for the use of the Senate.

Mr. FORAKER. A thousand copies.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio? The Chair hears none, and the order is made.

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 15th instant approved and signed the act (S. 1359) to increase pension for total deafness.

The message also announced that the President of the United States had on the 16th instant approved and signed the act (S. 4616) to grant title to the town of Juneau, Alaska, of lands occupied for school purposes, and for other purposes.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 288) for relief of the Christian Church, of Henderson, Ky.;

A bill (H. R. 647) for the relief of William P. Marshall;

A bill (H. R. 1147) for the relief of the First Baptist Church of Cartersville, Ga.;

A bill (H. R. 1488) for the relief of T. A. Woodress;

A bill (H. R. 1937) for the relief of the owner or owners of the barge *Charlie*;

A bill (H. R. 2490) for the relief of Morris F. Cawley;

A bill (H. R. 5036) for the relief of heirs of Mrs. Tellisse W. Wilson;

A bill (H. R. 5070) for the relief of Hamilton M. Sailors;

A bill (H. R. 8650) for the relief of the estate of Leander C. McLelland, deceased;

A bill (H. R. 9632) for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Virginia, as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain; and

A bill (H. R. 11127) for the relief of the Propeller Tow Boat Company, of Savannah.

The bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, was read twice by its title and referred to the Committee on Military Affairs.

ADAM STUBER.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 5118) granting an increase of pension to Adam Stuber.

Mr. GALLINGER. I move that the Senate disagree to the amendment of the House of Representatives and request a conference on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. BURTON, and Mr. TURNER were appointed.

ANTHRACITE COAL.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day.

The Secretary read the resolution submitted by Mr. VEST on the 5th instant, as follows:

Resolved, That the Committee on Finance be instructed to prepare and report a bill amending "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897, so that the tariff duty shall be removed from anthracite coal and the same be placed on the free list.

Mr. CULLOM. I hope the resolution will go over. The Senator from Missouri [Mr. VEST] is not present.

Mr. COCKRELL. In the absence of my colleague, let the resolution go over, retaining its place.

The PRESIDENT pro tempore. The Senator from Missouri asks that the resolution may lie on the table, retaining its place. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS.

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

Mr. FAIRBANKS. Mr. President, before the question is taken on the motion, I should like to make a statement. Last Thursday I gave notice that I would this morning move that the Senate proceed with the consideration of the immigration bill, but owing to the desire of the Senator from Illinois to have an executive session, I will not now press the motion, but will take early opportunity to bring the matter to the attention of the Senate.

Mr. BAILEY. Mr. President, I desire to submit a parliamentary inquiry. There is a standing order of the Senate that at a certain time the Senate shall proceed to the consideration of what is known as the omnibus statehood bill. If the motion of the Senator from Illinois should prevail and the Senate determines to go into executive session and should be in executive session at 2 o'clock, would the Senate then resolve itself back into open session and consider the statehood bill without motion, or could the executive session continue and thus destroy the privilege of the statehood bill for the day?

The PRESIDENT pro tempore. The executive session could continue through the entire day without having any effect upon the unfinished business any more than an adjournment over would have. The next day at 2 o'clock the unfinished business would be laid before the Senate as usual.

Mr. BAILEY. And the Senate could again go into executive session—

The PRESIDENT pro tempore. It could—

Mr. BAILEY. And again displace it? That was my understanding—

The PRESIDENT pro tempore. It would not displace it.

Mr. BAILEY. And therefore I shall not vote for the motion.

The PRESIDENT pro tempore. Going into executive session does not displace the unfinished business. It retains its place.

Mr. BAILEY. I mean displace it for the day.

The PRESIDENT pro tempore. For the day.

Mr. ALDRICH. Whenever the Senate resumes legislative business, if it be after 2 o'clock, of course the unfinished business would be the order of business.

The PRESIDENT pro tempore. If the Senate should resume legislative business at 2 or 3 or 4 or 5 o'clock, the Chair would lay before the Senate the unfinished business.

Mr. HALE. More than that, Mr. President, in executive session a majority at any time can go into legislative session and proceed with the unfinished business.

Mr. QUAY. Mr. President, I desire—

Mr. BATE. Is it not necessary, in executive session, to make a motion to go back into legislative session?

The PRESIDENT pro tempore. It is not necessary, unless a majority of the Senate desires to resume the consideration of the statehood bill at 2 o'clock. If nothing is done in relation to it and the Senate continues in executive session for the entire day, the statehood bill is not disturbed in the slightest degree. It remains the unfinished business.

Mr. BATE. It is not necessary, then, to make a motion to that effect in executive session?

Mr. BAILEY. Yes, a motion must be made.

Mr. BATE. That is what I am asking.

The PRESIDENT pro tempore. A motion must be made in executive session, providing the Senate wishes to come out from executive session at 2 o'clock and take up the bill.

Mr. COCKRELL. Or at any other time.

The PRESIDENT pro tempore. But it is not necessary to come out from executive session in order to save the rights of the statehood bill.

Mr. BATE. The inquiry I make is whether at 2 o'clock that motion must be made, or is it necessary to make it now?

The PRESIDENT pro tempore. It need not be made at all, unless the Senate desires to proceed to consider the statehood bill at that time.

Mr. BAILEY. Mr. President—

Mr. QUAY. Mr. President, I trust I may have recognition. I have some interest in the statehood bill, as the President pro tempore knows.

The PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. QUAY. I desire to give notice that at 2 o'clock, in accordance with the unanimous-consent arrangement, I shall move, if the motion of the Senator from Illinois prevails, that the Senate proceed to the consideration of legislative business. I trust the Senator from Illinois will not antagonize the motion. I am in favor of his treaty—

Mr. CULLOM. I desire to say that the understanding between the Senator from Pennsylvania and myself is that when 2 o'clock arrives, in view of the fact that the Senator from Ohio [Mr. FORAKER] is in the middle of a speech, so far as I am concerned I shall be willing to come back into legislative session.

Mr. BAILEY. With that statement, I have no objection to the motion.

Mr. QUAY. So far as I am concerned, in view of the fact that the statehood bill is the regular order under the unanimous-consent agreement at 2 o'clock, even if the Senator from Ohio were not in the midst of a speech, I should make a motion to return to legislative session.

Mr. FORAKER. I rise to make a suggestion to the Senator from Illinois. It is only thirty minutes now until 2 o'clock. We can hardly get into executive session and get started until we shall have to go back into legislative session, and if there is no objection, I would rather proceed now with my speech. It will not take me long to conclude, and then we can go into executive session and remain as long as we will.

Mr. CULLOM. I desire to get an order for the printing of the treaty and to do one or two other things, as well as to have the treaty read. Does the Senator from Ohio desire to go on now?

Mr. FORAKER. I think it would be more convenient for the entire Senate—

Mr. CULLOM. I am entirely willing.

Mr. FORAKER. As it would be for me if I could proceed now.

Mr. CULLOM. If the Senator from Ohio is anxious to proceed now, I will yield.

REPORT OF EXPERIMENT STATIONS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the annual report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, which includes a report on the work and expenditures of the agricultural experiment stations in the United States for the fiscal year ended June 30, 1902, in accordance with the act making appropriations for the Department of Agriculture for the said fiscal year.

The attention of Congress is called to the request of the Secretary of Agriculture that 5,000 copies of the report be printed for the use of the Department of Agriculture, and that provision be made to print such a report annually.

THEODORE ROOSEVELT.

WHITE HOUSE, January 19, 1903.

EXECUTIVE SESSION.

Mr. CULLOM. I think I will insist upon my motion for an executive session.

Mr. FORAKER. I desire to withdraw my suggestion, Mr. President, that I proceed at this time.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Illinois that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report, by the Secretary of Agriculture, of the operations of the Bureau of Animal Industry of that Department for the fiscal year ended June 30, 1902, in compliance with the requirements of section 11 of the act approved May 29, 1884, for the establishment of that Bureau.

THEODORE ROOSEVELT.

WHITE HOUSE, January 19, 1903.

BRITISH STEAMSHIP EASTRY.

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

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State, with accompanying papers, relating to the claim of Messrs. Sivewright, Bacon & Co., of Manchester, England, British subjects, for compensation for damages sustained by their vessel, the British steamship *Eastry*, in consequence of collisions in June, 1901, at Manila, with certain coal hulks belonging to the United States Government.

I recommend that as an act of equity and comity provision be made by the Congress for reimbursement to the firm of the money expended by it in making the repairs to the ship which the collisions rendered necessary.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, January 19, 1903.

REPORTS OF CONSULAR AND DIPLOMATIC OFFICERS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanying the Commercial Relations of the United States for the year 1902, being the annual and other reports of consular and diplomatic officers upon the industries and commerce of foreign countries. In view of the importance of these reports to our business interests, I approve the recommendation of the Secretary of State that Congress authorize the printing of an edition of 10,000 copies of the summary entitled "Review of the World's Commerce," and of 5,000 copies of Commercial Relations (including this summary), to be distributed by the Department of State.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, January 19, 1903.

LANDING PIER AT PONCE, P. R.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on December 3, 1902, with the approval of the governor thereof, granting to J. H. D. Luce, his heirs, executors, administrators, and assigns, the right to construct and operate a landing pier or wharf on the east side of the harbor of Ponce and on the shores thereof, and for other purposes.

This ordinance was approved by the President of the United States on January 8, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, January 19, 1903.

AMENDMENT OF PRINTING ACT.

Mr. PLATT of New York submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill (S. 2296) to amend an act approved March 2, 1895, relating to the public printing, 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 to the amendment of the House, and agree to the same.

T. C. PLATT,

S. B. ELKINS,

JAMES K. JONES,

Managers on the part of the Senate.

JOEL P. HEATWOLE,

VINCENT BOREING,

F. C. TATE,

Managers on the part of the House.

The report was agreed to.

STATEHOOD BILL.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. FORAKER. Mr. President, when I yielded the floor for our last adjournment, I had just finished the remarks I desired to make upon the rules as to population in so far as any have been claimed or recognized, at least so far as I am aware, applicable to the question of admitting a Territory to statehood.

Senators will remember that I was making that contention in answer to the claim of the majority of the Senate Committee on Territories, their claim being that a rule as to population had been laid down by the ordinance of 1787, which they desired to have applied to these Territories. Their contention was that the rule of the ordinance of 1787 was in effect a rule of percentage, and that before these Territories or any other Territories at this time could be held to be, as to population, qualified for admission, they must have, each of them, 1,153,000 population.

I undertook to show, and I believe I did show, that the ordinance of 1787 does not announce any such rule, and that there was no warrant for such a contention in anything to be found in the ordinance of 1787, and certainly not in that part of it which was quoted by the Committee on Territories.

I undertook to make it plain that by the ordinance of 1787 it was provided that Territories, the ones there named, should be admitted to the Union as States at the earliest moment possible consistent with the general interest, and that there was no other general rule prescribed. All that was said on that subject in addition was that whenever these Territories should have 60,000 free inhabitants they should be entitled to admission into the Union, and then there was an express provision to the effect that they might be admitted before they had 60,000 if Congress in its wisdom and judgment would see fit so to permit.

I pointed out further that this rule has been claimed and recognized, not only with respect to the territory then a part of the Northwest, but with respect to all the Territories of the United States to which the ordinance of 1787 has been extended as an organic law. I pointed out what was claimed and what was conceded in the case of Tennessee, and in the case of Michigan, in both of which cases, having 60,000 inhabitants, the Territories organized State governments, sent their representatives to Washington, and demanded a recognition of their rights. George Washington in the one case, in his message, practically conceded the right, as did Andrew Jackson in the other case.

The language of George Washington I cite particularly in order that I may answer a deduction made by the Senate Committee on Territories as to his interpretation of the ordinance of 1787 in that regard. He said in his message that it appeared that according to the provisions of the ordinance of 1787, which had been extended to Tennessee, the people of that Territory having 60,000 free inhabitants, had a right to organize a State government and be admitted as a State into the Union. Practically the same thing was said and the same thing done as to Michigan; and later that rule was invoked and recognized as to Oregon, which was admitted before she had a population of 60,000 and before she had a population equal to the unit of representation in the House of Representatives at that time.

Then, Mr. President, I undertook to show that as to all the territory which we have acquired under cessions made to us by treaties with France and Spain a different rule prevailed. The language of those treaties is in that respect that the inhabitants of the territory ceded shall be admitted into the Union. I am not undertaking to give it exactly, but simply to give its legal effect, "according to the principles of the Federal Constitution." I undertook to show that the phrase "admitted into the Union, according to the principles of the Federal Constitution," has always been interpreted to mean that that territory, subdivided as we might see fit to subdivide it into States, should have the right, each and every subdivision of it, when created into a Territory preparatory to statehood, to be admitted to statehood whenever it might have a population equal to the unit of representation.

Mr. SPOONER. And republican in its form of government.

Mr. FORAKER. Yes. Mr. President, I am not undertaking to quote that part of the treaty stipulation about which there is no controversy; I am confining myself, if the Senator will pardon me, to only that part about which there may be some difference of opinion, or some room for argument.

Mr. SPOONER. The Senator commented upon the language "according to the principles of the Constitution," and said the Territories should have a certain population to entitle them to admission as States. I simply added the requirement that they should have a republican form of government.

Mr. FORAKER. The Senator is quite right, and if I had been undertaking to quote with accuracy the whole stipulation I should, of course, have quoted that; but I was confining myself

to that part of it about which there has been some difference of opinion, and there may be a difference of opinion again, though, according to the precedents, there is not much room for it, as I understand them.

Then I undertook to show that our treaty with Mexico, under which treaty we acquired certain territory, contains that same stipulation, with the modification that expressly invested Congress with the discretion to judge as to the time when it should be admitted to the Union, imposed a moral obligation that has practically ripened into a legal obligation, if we want to carry out the spirit of that treaty at this time.

In that behalf I quoted from the messages of President Polk and President Taylor—men who had the most to do with the ratification and execution of the treaty—to show that it was their understanding that the faithful execution of the treaty required that New Mexico should in a very brief time be admitted to statehood.

Mr. President, the rule is, therefore, as to these Territories, if I am right in these premises and in this conclusion, that the Territory of New Mexico and the Territory of Arizona are entitled, as a matter of right, to statehood, if they are to be treated as other Territories have been, whenever they can show that they have a population equal to the unit of representation; and that Congress has the right, exercising its judgment and discretion, to admit them to statehood before they have such population as will equal the unit of representation. In that behalf I called the attention of the Senate to the fact that repeatedly Territories that come under this last rule have been admitted to statehood before they had a population equal to the unit of representation.

Nebraska, for instance, was admitted March 1, 1867, when she had a population of only 60,000. The ratio of representation at that time was 127,381. Kansas was admitted January 29, 1861, when she had a population of 107,206, just before, by legal enactment, the ratio was changed from 93,423 to 127,381. She was admitted at a time when a census had been taken, and when everybody knew that a new ratio was to be in the immediate future determined upon that would be higher than her population would reach or equal.

Florida was admitted March 3, 1845, when she had a population of 54,477, and when the ratio was 70,680. Oregon was admitted February 14, 1859, with a population of 52,465, when the ratio was 93,423. Nevada was admitted October 31, 1864, with a population of 6,857, when the ratio was 127,381; and Congress, in both Houses, by a large majority, passed a bill in 1866 admitting Colorado to statehood when she had a population of only 30,000, or less than 30,000, and when the ratio was 127,381.

Mr. HALE. Mr. President—

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

Mr. FORAKER. Certainly.

Mr. HALE. Let me ask the Senator if he does not recognize a very important distinction between the cases where States have been admitted with a population less than the unit of representation, but where the then growth and the assured future of such proposed States to a much larger population was certain, and States like Nevada, which gave no promise of ever possessing population enough to entitle them to admission?

I do not think anybody can say anything in the Nevada case nor in any of the cases where not only was the population small, not intrinsically large enough for admission on the unit rule, but where there was no prospect of there ever containing such a population; but it seems to me that does not apply either to the States of which the Senator is speaking or to the older cases of admission of Indiana and Ohio and Illinois, where it was a moral certainty they were speedily to contain population enough to make them great commonwealths. Does not the Senator see any distinction between that class of cases and cases like that of Nevada?

Mr. FORAKER. Mr. President, I am very much obliged to the Senator from Maine for interrupting me to ask those questions and to make the points which he has made. Presently I shall come to discuss precisely what he has precipitated. I am undertaking at the present moment to show only this, that, in accordance with the rule for which I have been contending, it is at all times within the discretion of Congress to say whether or not a Territory with less than the unit of representation shall be admitted to statehood.

Mr. HALE. No doubt.

Mr. FORAKER. The Senator concedes it. That being true, Mr. President, and that being the rule for which I have contended, I was simply undertaking to show that precedents sustain the rule for which I was contending; that Congress has done that thing. Congress did it in the case of Nebraska, in the case of Kansas, in the case of Nevada, in the case of Oregon, and in all the other cases I have recited. Congress in doing it exercised its discretion. Now, what I am going to contend for is that those

were, in the opinion of Congress, proper cases in which to admit before the population equaled the unit of representation. So, too, is Arizona a case where it is proper for Congress to admit, in the discretion of Congress, before the population reaches the unit of representation.

Mr. BEVERIDGE. Will the Senator permit a brief interruption?

Mr. FORAKER. Certainly.

Mr. BEVERIDGE. Mr. President, the point, as I understand it, which was made by the Senator from Maine [Mr. HALE], was that the action cited by the Senator from Ohio, where there had been admission before the population was as great as the unit of representation, was in anticipation of an immediate large population, which even then was flowing in. An examination of the figures which I have, in common with the Senator from Ohio [Mr. FORAKER] before me, shows that to be the case, as, for instance, in the case of Nebraska, which was admitted March 1, 1867; the next census, three years later, gave it a population of 122,993; and Colorado, which was admitted in 1867, at the next census had a population of 194,327; and Indiana, which was admitted, as the Senator says, with even a less population than 60,000—

Mr. FORAKER. No; with more than 60,000.

Mr. BEVERIDGE. Well, with something in the neighborhood of 60,000.

Mr. FORAKER. Indiana had 63,000.

Mr. BEVERIDGE. Yes; and at the next census, four years later, the population was 147,178. So we might run through those States whose then present conditions were such as to guarantee, not as a matter of speculation, but as a matter of absolute certainty, that the population would immediately be above anything the rule required, because of the physical conditions, the fertility of the soil, the nature of the rainfall, the well watering of the Territory, etc.; in other words, conditions which attracted and invited a large population.

Mr. FORAKER. Mr. President, I do not object to these interruptions, but I take it as not at all complimentary to me for Senators to assume that I did not think of all these things, and did not intend to meet these very suggestions. I was coming to them.

Mr. BEVERIDGE. I mean always, so far as I am able, to compliment the Senator, because I think he always deserves it, except as to his attitude in this particular case.

Mr. FORAKER. Mr. President, as I remarked a moment ago, in reply to the interruption of the Senator from Maine—I had been, up to that point, simply contending for the rule, and I have not heard of anybody conceding the rule that I have been contending for—I had been contending that the precedents and the authorities show that Congress has the right to admit before the unit of representation is reached by the population of a Territory, and that there is an obligation—perhaps it is only moral in this case, but legal in others—to admit when the population does equal the unit of representation. Then, having pointed out the precedents on this point I relied on, I was proceeding to make application of these rules to the Territories now under consideration. The Territory of New Mexico comes under another rule. But let me dispose of New Mexico first. The last census showed the population of New Mexico amounted to 195,301, and the ratio of representation is 193,000.

Mr. BEVERIDGE. One hundred and ninety-four thousand and some odd hundreds.

Mr. FORAKER. I thought it was 193,000.

Mr. BEVERIDGE. No.

Mr. FORAKER. But whatever it may be, the ratio of representation is less than the population of New Mexico according to the last census.

Mr. BEVERIDGE. A few hundred.

Mr. FORAKER. So that so far as New Mexico is concerned we are not called upon to exercise such discretion as we might feel bound to exercise if she had a population less than the ratio of representation. I call attention to the case of New Mexico, which is not only now above the ratio of representation, but the ratio of representation will remain fixed for the next ten years; there will be no change in the ratio until 1911. In the meanwhile New Mexico will be growing. Her population is greater than the ratio now, and ten years from now, or previous to ten years, I may say, her population will be far beyond the ratio of representation.

The Senator from Maine [Mr. HALE] asked if I did not draw a distinction between Territories which promise an immediate increase of population and Territories which do not. Certainly I do, Mr. President. I recognize that Nebraska, Ohio, Indiana, Illinois, Wisconsin, and Minnesota were Territories that everybody knew would fill up rapidly; settlements had been established, the population was increasing, and everyone could foresee that there would be a rapid and very great increase, just as there has

been. But who knows, Mr. President, that a like result will not follow in New Mexico?

I want to separate the two Territories for a moment. What has been happening in New Mexico? I pointed out the other day that the Territory is complained of because the population has not rapidly grown, and yet in the speeches that we have heard that complaint of the Territory made we have been told that they have unusual conditions, not only of nature, but of other kinds. They had for years, and until quite recently, savage bands of Indians roaming over their territory. Who was going down into that country where there was no protection by the Army, when he could go with the tide of population into other Territories where the people were protected and where they could be safe from harm of that nature? But a more difficult trouble in New Mexico even than the Indians was in the fact that the best lands of New Mexico were all clouded as to their titles by the Spanish land grants—Spanish land grants involving clouded titles to nearly 30,000,000 acres, as I find by reference to the record since I was speaking here a day or two ago.

Immediately after we acquired New Mexico we ought to have established what we waited until 1891 to establish—and established then only under compulsion, as it were—namely, a Private Land Claims Court, into which these titles could be carried for adjudication and settlement. Until 1891 no homesteader could go and settle on any land and preempt it with any assurance that he could get title; no man could go there with his savings and invest them in lands with any assurance that he would get title. The Spanish land grants overlapped and duplicated each other and had extravagant, exaggerated, and unknowable boundaries, until the whole subject of land grants was in such doubt and in such difficulty that nobody would undertake to get a home there.

In 1891 the pressure had become so great from people who had gone there, notwithstanding the difficulties, and from other people who wanted to go, but were deterred by the conditions there existing, that Congress yielded to the demand that was made and provided the Private Land Claims Court. Their final report shows that they have settled titles to over 20,000,000 acres of the best lands in New Mexico, and have turned that amount of good land back into the public domain, where it is now subject to homestead entry.

What is the consequence? I read to you the other day the report of the various land offices in New Mexico—four of them altogether—and every one of them gave us an account that shows the greatest activity on the part of homestead preceptors who are going into New Mexico and making homestead entries of land. In one office 205 of these entries were made in the month of December last alone. What does that indicate, Mr. President? To my mind it is no surprise that the population of New Mexico has not increased more rapidly, but it is a surprise that her population has increased as it has increased. Let me call your attention to it, Mr. President, and you will see that the population of New Mexico has, according to percentages, about kept pace, notwithstanding all these difficulties, with the general population of the country.

According to the census of 1870, they had in New Mexico a population of 91,874; in 1880 it had increased to 119,565; in 1890 to 153,593; in 1900 to 195,310; and it is claimed—and upon what seems to me very plausible, not to say very good, grounds—that the census shows a much less population than they really had. I want to refer to only one fact in that connection, which seems to me to justify that claim and conclusion.

In the Territory of New Mexico last year the number of registered voters was 63,769. Every man here knows that in our most populous cities, and even in our country districts, we never have a full registration and never have a full casting of the vote which is registered. If they had 63,769 registered voters in New Mexico at the last election, it is perfectly safe to assume, Mr. President, that they had 75,000 voters who had a right to register; but there the discrepancy between those registered and those entitled to be registered would be much larger than it would be here.

The election in New Mexico was not an exciting one, and therefore when we remember the character of the country which has been described to us, the long distances, the kinds of occupation of the men scattered over those vast plains, herding stock, mining, etc., the trouble that it was to them to go these long distances to register, and afterwards to vote, we can safely assume that the percentage would be larger than that did not register and did not vote than it would be with us. A fair allowance for all this indicates that there were at least 75,000 voters in New Mexico entitled to register. But if there were 75,000 voters it is safe, I suppose, to assume that there were four people to every voter.

Mr. HALE. Does the Senator think that would apply in a frontier Territory?

Mr. FORAKER. I do; because the census shows that it would in all probability apply there.

Mr. HALE. I think the Senator must—

Mr. FORAKER. The Senator forgets, if he will allow me, that a large part of this population—I am coming to that presently—is a Mexican population, and that they have an unusually large number of children in their families.

Mr. HALE. I was going to call the attention of the Senator—because that is one feature of the opposition—to the fact that it is not the kind of population that will assimilate into a State. And is it not undoubtedly true, so far as the white population is concerned in any frontier border, new State, the percentage of men is much larger than it is in the old States; and that having a population of 10,000 in any of those States does not in any way represent such a population as a voting population of 10,000 does in the older States, the reasons for which are, I think, apparent?

Mr. FORAKER. I appreciate what the Senator has suggested, and I want to say in answer to that that in the first place the general rule is five people to every voter. That is the rule by which we estimate population based on the vote here in this part of the country and the part of the country where I live, but to give a margin, for the very reason which the Senator has suggested, my estimate is four for every voter, which would make a population at this time of 300,000.

But the Senator will find, if he will study the statistics of the census returns as I have studied them, that there is no reason why we should give any margin at all. There was a time, when the Indians were running about over the plains of New Mexico, when life was constantly in danger, that men greatly predominated in point of numbers, and a different rule in computing the population based on the vote would have to be observed at that time from what would be observed now.

But, Mr. President, I do not intend to rest this case upon the proposition that there is a greater number of people in New Mexico than the census shows there are. There is a natural increase since the census was taken. That was, now, nearly three years ago. There has been, I suppose, the average rate of growth during these last three years. I presume that will be conceded. But, Mr. President, the growth has been far greater in proportion during the last three years than it was during any three years of the preceding decade, which has been due to the causes I referred to a moment ago, the land titles being settled, etc. With the natural increase New Mexico now has a population of, perhaps, 225,000 or 230,000. That is not far out of the way, assuming that the census is accurate; and that is sufficient for all purposes.

Having that kind of a population and there being seven or eight years yet to run before the ratio will be changed, the population of New Mexico is abundantly large enough to entitle her to admission, and therefore I say it is a moral right, on her part at least, that she be admitted to statehood.

I shall speak of the character of the people of New Mexico presently. For the present I want to speak of Arizona. There the case is different. Arizona had, according to the last census, only 122,931 population. I want to say again, Mr. President, that I do not believe the census return is accurate there, as I will show presently, but I am willing to accept it as it has been made. I have a right to go further than to say that I do not believe it is accurate. I know that it is inaccurate.

The Senator from Minnesota [Mr. NELSON] the other day in his speech demonstrated that fact conclusively as to the Indians. He showed to us conclusively that the enumerator of the census, in undertaking to count 30,000 Indians penned up in the reservations, missed, in round numbers, about 5,000. If the enumerators missed 5,000 in undertaking to count 30,000 under such circumstances, we certainly have a right to assume that they missed somebody when they were counting 100,000 other people scattered over that vast domain of territory, embracing people engaged in herding out on the plains, people engaged in the mills, and people working down in the mines.

I am told, it is not an official fact, and perhaps I should not refer to it, but my informant is a man so situated that he knows from personal knowledge, and he tells me that in one of the mining towns of Arizona the total number of people returned by the census enumerator was less than the number of miners working at that very hour down in the mines in that town, as shown by the pay rolls of the operators. I think it is pretty safe to assume, taking the discrepancy in the count of the Indians as a basis, that the census report ought to have been at least 20,000 more instead of what is recorded.

Mr. BEVERIDGE. Will the Senator tell me to what mine he refers?

Mr. FORAKER. I can not now, but I shall take great pleasure in giving it to the Senator later.

Mr. BEVERIDGE. Thank you.

Mr. FORAKER. Those names are not familiar to me and I did not charge my memory with them, but I think it was Bisbee. [Mr. SMITH, Delegate from Arizona, indicated that he was the

authority.] Now, the Senator knows my authority, and I observe that the Senator from Idaho is also coming to my rescue.

Mr. DUBOIS. If the Senator will allow me, and I know he has this information, I will make the suggestion that the population of Wyoming in 1890 was 60,705, and the population of Wyoming in 1900 was 92,531. The Congressional apportionment in 1893 was 173,901. Wyoming was admitted in 1890.

The population of Idaho in 1890 was 84,385, and in 1900 it was 161,772, the Congressional apportionment being 173,901.

Mr. FORAKER. I am very much obliged to the Senator from Idaho for giving me that information. My examination of the statistics was necessarily hurried, having so many other things to do, and I had not observed the figures as to those States. I supposed that I had called attention to all the States that had been admitted with a population less than the unit of representation.

Mr. DUBOIS. I understand that nine years after admission neither State came near having what the Congressional apportionment required, and Wyoming was very far from it.

Mr. FORAKER. Yes.

Mr. CARMACK. The point of the Senator is that the State grew very rapidly in population after admission to statehood.

Mr. FORAKER. Yes.

Mr. BEVERIDGE. That is not his point. He will make that point, but that is not the point in this instance.

Mr. FORAKER. I will make that point presently, and when I do the answer will be that Congress simply made a mistake about it; that is, that Congress never would have admitted these States if it had not supposed that immediately after admission they would rapidly grow in population and come to be great, powerful commonwealths such as our States ought to be, except for other reasons.

Not only in the cases mentioned by the Senator from Idaho, but in a number of other cases there has been the same kind of disappointment. The truth is that when the admission to statehood was hurried for the States of Nebraska, Kansas, Colorado, and other States of the Far West, the men who then had a majority in the two Houses of Congress had something more in their minds than the subsequent growth of population. They knew, of course, that population would grow, but those States were admitted during and just after the war. You will remember that there was an attempt to admit Colorado, as I said a while ago, when she had a population of only 30,000, and when the ratio was a hundred thousand and something more.

I have forgotten what it was at that time, but it was beyond that. There was no pretense that it was equal to the unit of representation. The idea was to get States into the Union that would support the policies of the Government which were then being carried out. It was a policy with which I fully sympathized. I believed in the policies of the party then in power, and I believed that they should strengthen themselves by taking into statehood the Territories that were then admitted to statehood.

I believed it and indorsed it, and I thought that Congress had acted within its discretion, because in the judgment of the Congress it was essential to the general public welfare that those Territories should be then admitted to statehood. They were doing just what I propose to insist we have a right to do in our judgment and discretion now. It was a great national emergency that hurried up the admission of those Territories to statehood. There is no such emergency as that upon us at this time, but the rule is not different on that account. It is for the Congress to determine now as then.

Mr. HALE. Mr. President, I think as a matter of political history the Senator from Ohio is wrong in reference to the admission of Kansas and Nebraska. I think it is true with reference to the admission of Nevada.

Mr. FORAKER. And Colorado.

Mr. BEVERIDGE. That was a war measure, practically.

Mr. HALE. It was a measure never justified, accompanied by what may be called political scandal, and I hold utterly inexcusable. I do not agree with the Senator that there was justification for it, even in conditions. I think it was the intrusion into the great family of States of a Territory that neither then nor afterwards ever justified its admission. I think, also, that the separation of West Virginia from Virginia was a measure not justified; that it was an emergency—an emergency which afterwards came back to trouble us.

I should like to see the Senate now take the conservative attitude and not admit any more States that do not promise in the near future to become real, alive, growing, great Commonwealths. I do not apologize for the admission of the State of Nevada; it was as bad as it could be; it never ought to have been done, and it can not be justified, and the secret history of the transaction is a wrong one. The admission of that State does not redound to the credit of anyone who was engaged in it.

Mr. FORAKER. The Senator from Maine, when he interrupts, always throws light on a discussion, and he is therefore always a

welcome interrupter, but at the same time he did not comprehend with exact correctness the remark I made. What I said was that I was in sympathy with the policy the party in power was pursuing when it was undertaking to strengthen itself by the admission of these new States. What I was contending for—that being only a side remark—was that the Congress exercised that discretion because in the judgment of the Congress at that time it was for the public welfare to admit those Territories to organized statehood.

They were simply exercising this power of discretion. They did not admit Nevada, they did not admit Colorado, they did not admit a number of these other States, on the theory that they were going shortly to grow so tremendously in population that they would be substantially equal to the great States of Vermont and New Hampshire and Rhode Island and Delaware. [Laughter.] I do not mean Delaware, but only the other States that are leading in this opposition. Delaware will be represented here after a while I suppose, and when she does come, I expect her to throw up her hands in holy horror against the outrage on the great States of the Union of admitting Arizona and New Mexico to statehood as proposed. She has 184,000 population, less than New Mexico, and probably not any more, on a fair count, than they have in Arizona, in my opinion.

Mr. BEVERIDGE. How many people does the Senator from Ohio think there are in Arizona?

Mr. FORAKER. If I could be let alone a little while I would tell. I started on a calculation—

Mr. BEVERIDGE. I do not desire to interrupt the Senator if he does not wish to be interrupted.

Mr. FORAKER. Oh, Mr. President, I do not care how much the Senator interrupts me. Of course, I expect it to be a polite interruption, as it always is, when it comes from the Senator from Indiana, but I was just in the midst of a computation when the Senator from Maine interrupted me, and having answered him, I was just taking it up again when the Senator from Indiana interrupted.

Mr. BEVERIDGE. I could not possibly, from anything the Senator had said, have foreseen that, because the Senator had just said, before I had interrupted him, that by fair count Arizona had as many people as Delaware has now, which is a hundred and eighty-seven thousand and some.

Mr. FORAKER. A hundred and eighty-four thousand.

Mr. BEVERIDGE. Then I asked him what population he thought Arizona has.

Mr. FORAKER. And I answered the Senator by saying that if he would only let me alone a little while I would tell him.

Mr. BEVERIDGE. I will let him alone until he does tell me, and then I shall interrupt him for a moment, provided he makes the estimate which I think he will.

Mr. FORAKER. The census shows that they had 122,931. The Senator from Minnesota has established the fact that there was a discrepancy of nearly 5,000 in the count of Indians. They missed that many in trying to count a lot of Indians penned up on the reservations. If they missed 5,000 in undertaking to count 30,000 under such circumstances, I assume that they would miss quite a number in undertaking to count a hundred thousand scattered all over that vast domain of territory and engaged in all kinds of occupations—men in factories, men in mills, men in mines, who are working hundreds and perhaps more than hundreds of feet under the ground.

I do not believe they got everybody, and if they failed to get all in one place, I think we have a fair right to assume that they did not get everybody in other places. So I would add 20,000 as conservative to the return of the enumerators as my estimate of the number of people there at the time when the enumeration was taken, thus making a hundred and forty-two thousand.

It is now three years since that census was taken. From 1890 to 1900, according to the census, they doubled their population. That is something I want to call to the attention of the Senator from Maine. Has the Senator from Maine examined the census statistics? If so, why does he talk about Arizona being a Territory that is without any promise of future growth?

Mr. President, the Territory of Arizona had, according to the census of 1890, only 59,000 people in round numbers. According to this census she has a population of 122,000; and I do not think all were counted. But all might not have been counted before. Assuming that the census was right in both instances, what is the result? The population has grown more than 100 per cent in ten years. How much would the Senator from Maine expect a population to grow in ten years to give a promise of growth in the ten years to come? Is there that growth in Maine? Is there that growth in Delaware? Is there that growth in Vermont, or New Hampshire, or Rhode Island, or Indiana? There is no such growth anywhere in the United States as there has been in the Territory of Arizona. Yet Senators stand here and tell us, as the Senator from Minnesota did the other day, that he objects to the admission of this

Territory to the Union on many grounds, but principally because of the stagnant conditions there.

The 122,000 people, in which number the Indians referred to are regarded as included always, are doing a business in that Territory which, according to the figures given by the Senator from Vermont, show an annual output of products—agricultural, mining, and manufacturing—amounting to \$33,000,000 and more. Are there any 100,000 people anywhere in the United States, situated anything like the 100,000 people there are, doing anything like so well?

Can you point to any community where there is such activity, where there is such promise of future growth. For all the official and other reports that come to us from that country are to the effect that the great mining interests are but commencing to be developed. With the new processes for treating ores and the new facilities for mining them, they are rapidly increasing the output of the mines they have, and in the meanwhile they are rapidly multiplying the mines they have heretofore had.

So, Mr. President, while there is no great national emergency which would justify our admitting a Territory with a population less than the unit of representation, as there was thought to be by the Congress that admitted the Territories about which we have been talking, yet there is this promise of future growth to justify it, which was the only justification in the case of Ohio, and the only justification in the case of Illinois, when those two States were admitted with less than 60,000.

This ratio, as I have said, is to continue until 1911. It has seven or eight years yet to run. In Arizona they have, I believe, at this time a population equal, if it had been fairly counted, judging from the election returns and from other sources of information, and from the testimony given before the committee, almost equal to the ratio. But whether it be greater than I have indicated, 140,000 or 150,000, it is increasing at such a rapid rate—at the rate of 100 per cent in ten years, at the rate of 10 per cent annually—that long before there is another ratio fixed by Congress the population of Arizona will be far above and beyond the present unit of representation.

These are not fanciful visions of the future. They are based on the conditions now existing, only recently established as they exist, which are conducive to the inflow of population and to the development of the industry and to the multiplication in every way of that which is important in that Territory.

But, Mr. President, who knows that that Territory will not be teeming with population in a few years to come? This is not the first time we have heard in the Senate Chamber great statesmen proclaim that this and that particular section of the country had no promise of future growth and development.

This is not the first time that great sections of our country have been pronounced valueless. When we acquired the Louisiana Purchase there were some statesmen who did not appreciate the worth of that purchase. When we came to establish the State of Louisiana there was one statesman in particular whose words I want to read. Mr. Josiah Quincy, representing the State of Massachusetts, said on that occasion some things to which I want to call attention. Mr. Quincy was an honest, upright man with a badly mistaken opinion. I quote from a descriptive account of his speech on that occasion:

Mr. Quincy then went on to prove that not only had no power been given to Congress to admit States out of the original bounds, but that the idea of so doing had not even occurred to the framers of the Constitution. They were not madmen. They had not taken degrees at the hospital of idiocy. "I have heard," said he, "of six States, and some say more, that will surely be formed beyond the Mississippi. It has even been said that the day is coming when the mouth of the Ohio will be far to the east of the center of empire. It is impossible such a power could be granted. It was not for these men that our fathers fought. It was not for them the Constitution was adopted. You have no right," he argued, "to throw the liberties and property of this people into hotchpotch with the wild men on the Missouri, nor with the mixed, though more respectable, race of Anglo-Hispano-Gallo-Americans who bask on the sands at the mouth of the Mississippi."

This reads like an extract from the speech of the Senator from Minnesota:

"Do you suppose"—

He continued—

"Do you suppose the people of the Northern and Atlantic States will or ought to look with patience and see Representatives and Senators from the Red River and Missouri pouring themselves on this and the other floor, managing the affairs of a seaboard 1,500 miles at least from their residence?"

Perish the thought! What a calamity it would be to the interests of the State of Massachusetts if there were to come to Washington, representing independent commonwealths, men who would have a right to a voice in legislation regulating the affairs of the seaboard, 1,500 miles away from their homes!

The bill, he asserted, if it passes, is a deathblow to the Constitution. It is my deliberate opinion that if this bill passes the bonds of this Union are virtually dissolved.

That is how serious it was to him. Yet he was an honest man, he was a sincere man, he was an able man, he was a patriotic man, he was conscientiously performing his duty as he saw his

duty. The trouble was with his light. He did not have a good vision. I read this, Mr. President, to show how greatly men may be mistaken. Mr. Quincy was mistaken.

Now I call attention to another case. When it was undertaken to establish a Territorial government for Oregon, a great debate arose in the Congress of the United States. There were men who did not think Oregon was worth enough to the United States of America to warrant us in establishing a Territorial government there. Let me read what was said in that debate by Mr. Bates, from Missouri:

"Now, what will be the consequences," said a member from Missouri, "supposing we pass this bill and give a social existence to the country? Consider where the region is. From the Atlantic to the Missouri is 1,300 miles."

Just think of it! Thirteen hundred miles!

"From the mouth of the Missouri to the head of navigation is 2,500 more. Then there is the rugged and almost impassable belt of the Rocky Mountains, while between the Missouri and the Pacific, save a strip of culturable prairie not above two or three hundred miles wide, the region is waste and sterile, no better than the Desert of Sahara and quite as dangerous to cross. Near the mountains the country is composed of rocky and stony ridges, dotted with spots giving life to nothing but the spruce, the hemlock, and trees of that description."

I will omit a part of what is reported here and go to the last sentence or two:

"But suppose the object of this bill accomplished. Suppose the infant settlement, fostered by the paternal care of Government, has grown into a vigorous maturity. Does any man imagine that a brotherhood of affection, a community of interest, could bind that distant and solitary member of the family in the far West to those held together by the firmest of political ties in the East? The very name of the place is expressive of its poverty and sterility, for it comes from 'oregano,' a word applied by the Spaniards to an herb resembling pennyroyal and growing near the coast."

That was the estimate of that Representative as to the Oregon country. He was not alone. I am reading from the fifth volume of McMaster's History of the People of the United States, at pages 480 and 481. Quite a number of the members of the House and Senate are quoted from to the same effect. There were others who took a different view, but so overwhelming in the Congress of the United States was the sentiment that Oregon was not worth enough to justify providing a Territorial government that the bill was not allowed to go to a third reading, but was rejected, which was the equivalent of voting it down. At any rate, no government was established for Oregon at that time.

Mr. President, all Senators are familiar with the fact that when we yielded to the contention of Great Britain and agreed that our Northern boundary line in the Oregon country should be at the forty-ninth degree of north latitude instead of "54.40 or fight," it was done largely because such distinguished statesmen as Daniel Webster were of the opinion that the Oregon country was so valueless that it was not worth having a controversy about, and thus through the entertainment of that kind of an opinion by such representative and strong and capable statesmen of this country British Columbia was lost to us, and as a consequence Great Britain interposes now with a coast line extending from the northwestern corner of Washington to our possessions in Alaska.

That is not all. I have before me a book entitled "The Works of Daniel Webster." I read from volume 5, at page 398. The Senate of the United States had before it a bill to admit California to statehood. California had held a convention. She had adopted a constitution. She had elected Senators and Representatives, and the question was whether or not they should be recognized by the Congress of the United States and her Representatives be given seats.

The constitution as it had been framed was objected to by Senators from the South on the ground—it was before the war time, you will remember—that the constitution provided that there should be no slavery in California. It was pointed out that by the Missouri Compromise of 1820 there was to be slavery, if the people so desired, south of 36° 30' north latitude. They were being denied the right to have slavery in California when they thought they were entitled to it. Mr. Webster, in answering that argument, undertook to satisfy the people of the South that in yielding and accepting the constitution of California, which prohibited slavery in lower as well as in northern California, they were not yielding anything of value, and here are his reasons. After making a great many points in his argument, he said:

Then there is another consideration. If you separate south California from north California, what will be the value of south California by itself? Why, look upon the map and the question will be answered. Suppose we run the line to 36° 30' from the sea across to New Mexico, what have you? You have mountains and you have those vast tracts of land east of the mountains; but from the best information I can obtain—and I have consulted what I suppose everyone concedes is the best authority—there can not be met most within what would constitute the territory of south California more than 5,000 square miles of good land?

Beyond that all is desert lands and mountains. I speak now of lands that may be tilled and cultivated. We must, as I have said, look at climate as well as the surface of the land. Gentlemen will please to remember that in this part of California eight months in every year roll on without a drop of rain falling, and there is not within the whole of it any land whatever that can be cultivated without irrigation. So small are the streams, when you depart from those two rivers, the Sacramento and the San Joaquin, that

they do not supply water for the cultivation of the very small portion of the land that otherwise might be made tillable.

What, then, will be the value of this territory? The gentleman from Louisiana contended for the rights of the South in regard to it. Where is there any value in it? Is it anything more than a mere nominal right, if it be that? Can it be of any use whatever? Could the South make any use of that territory, if it were now a Territory and free from any restraint whatever, which they can not make of it as part of a State? I think, therefore, that it is a dispute where there is no substantial value in the matter contested.

Now, I want to read some quotations from Congressmen as to another acquisition. In the second volume of Mr. Blaine's work entitled *Twenty Years of Congress*, at page 335, he gives an historical account of the debate which occurred when the acquisition of the district of Alaska was under consideration. I will not stop to read it, but I will ask that what Mr. Cadwalader C. Washburn, General Butler, and Mr. Peters said on that occasion may be inserted in the RECORD as I shall mark the extracts. I ask that privilege in order that I may not unduly take the time of the Senate.

Mr. Cadwalader C. Washburn answered the speech of General Banks on the succeeding day (July 1, 1868). He assumed the leadership of the opposition to the treaty. He proposed to demonstrate to the satisfaction of the House five distinct propositions: "First, that at the time the treaty for Alaska was negotiated not a soul in the whole United States asked for it; second, that it was secretly negotiated, and in a manner to prevent the representatives of the people from being heard; third, that by existing treaties we possess every right that is of any value to us without the responsibility and never-ending expense of governing a nation of savages; fourth, that the country ceded is absolutely without value; fifth, that it is the right and duty of the House to inquire into the treaty, and to vote or not vote the money, according to its best judgment." Mr. Washburn made an able speech in support of his radical propositions.

General Butler sustained Mr. Washburn's position in a characteristic speech, especially answering General Banks's argument that we should pay this amount from a spirit of friendship for Russia. "If," said General Butler, "we are to pay this price as usury on the friendship of Russia, we are paying for it very dear indeed. If we are to pay for her friendship, I desire to give her the \$7,200,000 in cash and let her keep Alaska, because I think it may be a small sum to give for the friendship if we could only get rid of the land, or rather, the ice which we are to get by paying for it." He maintained that it was in evidence before the House officially "that for ten years the entire product of the whole country of Alaska did not exceed \$3,000,000."

Mr. Peters of Maine pronounced the territory "intrinsically valueless, the conclusive proof of which is found in the fact that Russia is willing to sell it." He criticized the action of the Senate in negotiating the treaty. "If the treaty-making power can buy, they can sell. If they can buy land with money, they can buy money with land. If they can buy a part of a country, they can buy the whole of a country. If they can sell a part of our country, they can sell the whole of it!"

What they contended for was that Alaska was without any value whatever. Not very many years have since passed, but time enough has elapsed to establish of what incalculable value to the people of the United States is the acquisition of Alaska. Nobody would think of surrendering it to-day.

Mr. President, I have gone to the trouble to read these authorities, anticipating somewhat the course of my argument in doing so, in order that I might answer the Senator from Maine [Mr. HALE], whose contention seems to be that we ought not to exercise our discretion in favor of Arizona, she being below the mark of the unit of representation, because there is no future for Arizona. These citations show how statesmen may be mistaken as to the future development of a country or section. I have already pointed out that the population of Arizona has doubled, and more than doubled, during the last ten years.

If it doubles during the next ten years, and there is no reason that I know of why it should not, she will have a population of 250,000 people, according to the census alone. That looks to me like promise. It is a vast, magnificent domain. They have manufacturing, they have mining, they have stock raising. They are an active, busy, energetic people. They are an important part of this country by reason of that which they contribute to her general welfare, and they are entitled, Mr. President, if we exercise a sound discretion, to our favorable consideration of their claim.

Now, I want to insist why I think they ought to come in as a State. They have been under Territorial government ever since 1863, and New Mexico ever since 1851. It is true that these two Territories are only a part of our acquisition from Mexico as the result of the Mexican war; that out of that acquisition were created first the Territories of Utah and Nevada and afterwards the States of Utah and Nevada. To that extent we have redeemed our obligation to admit the inhabitants of the ceded territory to statehood.

But, Mr. President, we can not excuse ourselves from admitting the rest of that Territory, and the rest of the inhabitants residing there, to statehood on the ground that we have admitted a part; that we have done a part of that which we have agreed to do. It was our promise and stipulation in the treaty with Mexico that we would admit all of the inhabitants of that Territory to statehood. We have admitted a part. We have delayed fifty years and more to act as to New Mexico and Arizona. We created these Territories, we carved them out of that general territory, and we told them to wait a while. They have waited long enough.

In New Mexico and Arizona they have had unnatural conditions to contend with. Both these Territories have now reached a point where they have a splendid population and where they have done

things which give promise that they will be a credit as Commonwealths of this Union to the whole country if we admit them to statehood.

I now call attention to their school system. This does not look like a stagnant community. It does not look like an idle and an indifferent community. The school population of New Mexico in 1901, according to the statistics, was 62,864. The enrollment of pupils in all schools was 42,925.

The Senator from Minnesota [Mr. NELSON] called attention to the fact that not all the school population is in attendance upon the schools. Not all the school population is in attendance upon the schools in any State of this Union. The testimony discloses that these Mexican young men, as a rule, because of the poor circumstances into which they are born, quit the schools when they are 16 or 17 years of age. They are still a part of the school population, but, just like young men so situated in other communities, they quit school when the necessities of the family to which they belong require that they should, and as soon as they are able to help make a living. They are not all studying to be lawyers, with the hope in their breasts that they will at some time occupy seats in the Senate of the United States, and therefore they cut their education a little bit short.

This table goes on to show that they have 1,046 teachers; that they have 726 schools, and the annual receipts for school purposes—money that they tax themselves for and pay—amounts to \$338,018.70, and they expended last year \$723,048.32. They have school property, which they have acquired and paid for by taxing themselves, to the value of \$2,071,702.25. I ask that this statement may be inserted in the RECORD as a part of my speech. I have commented on it sufficiently to call attention to the salient points of it and to show that the people in the Territory of New Mexico are giving a proper attention to the matter of education, and as a result of it, as some one has already quoted in the progress of this debate, the percentage of illiteracy has been steadily declining until it is now only about one-third what it was ten or twelve years ago. That is the kind of promise they are giving.

The statement referred to is as follows:

NEW MEXICO SCHOOL SUMMARY, STATISTICS FOR SCHOOL YEAR 1900-1901.

School population, 62,864; increase over previous year, 9,856, or 18.6 per cent.
Enrollment of pupils in all schools, 42,925; average daily attendance, 29,825.
Number of teachers employed, 1,046; number of schools, 726.
Annual receipts, \$338,018.70; annual expenditures, \$723,048.32.
Value of all school property in New Mexico, \$2,071,702.25.
Enrollment in public schools proper: Year 1899, 21,761; year 1900, 31,510; year 1901, 35,227.
Enrolled in city schools, 7,243; enrolled in rural schools, 27,984; enrolled in Territorial institutions, 907.
Expended in improvements on public school property during year, \$242,617.60.
Present value of public school property, \$1,239,153.25.
Average annual cost of educating children in the schools, per capita, \$4.94.
Average annual cost of educating pupils enrolled in Territorial institutions, per capita, \$159.66.

Mr. FORAKER. The Senator from Minnesota told us the other day that all their proceedings in the legislature were conducted in the Spanish language, and the court records, I understood him to say, were also in the Spanish language. I have before me here a statement from which I want to read, and I ask that it may all be incorporated in the RECORD. It is a statement prepared by Hon. B. S. RODEY, the Delegate in the House of Representatives from New Mexico. Mr. RODEY says:

EXPLANATION AS TO THE USE OF INTERPRETERS IN THE COURTS, CONVENTIONS, AND LEGISLATURES OF NEW MEXICO.

Legislature.—There has been little or no need of an interpreter in the legislative assemblies of New Mexico for about ten years last past, as every member of both houses could understand and speak English reasonably well. Such an officer was employed though, because the organic act of the Territory provides for the office, and attaches a good salary to it, and therefore there were always applicants for the place, and sometimes interpretations took place as much for the benefit of the spectators as otherwise, some of the latter not understanding English well.

There will be no need of an interpreter in the coming legislative assembly, the members for which are now elected. The council (senate) is unanimously Republican, all are scholars of a high order, and a short description of the personnel thereof is as follows:

Now, I call the attention of the Senate to the character of the men who constitute the senate in the Territorial legislature of New Mexico. As I read this description of the men, you will see whether or not there is any justification for that which has been said in criticism of the people of that Territory so far as their legislature is concerned.

Col. J. F. Chaves: Present superintendent of education; late colonel New Mexico Volunteers during civil war; member G. A. R.; Delegate several times from New Mexico to Congress of United States; a linguist and scholar of very high attainments, and one of the best parliamentarians in the nation; a native of New Mexico.

Thomas Hughes: A scholar of fine attainments; publisher and editor of the *Daily Citizen*, of Albuquerque, N. Mex., a newspaper of almost metropolitan proportions, work on it set up with linotype machines; a man of large experience as a legislator; a resident of New Mexico for more than twenty years.

George F. Albright: A scholar of high attainments; publisher and editor of *The Daily Journal-Democrat*, of Albuquerque, N. Mex., also a newspaper

of almost metropolitan proportions, using linotype in its preparation; formerly of Missouri; has resided in New Mexico more than twenty years.

W. H. Andrews: Miner and railroad builder; formerly of Pennsylvania; one of our most enterprising citizens; a man well versed in statecraft and politics generally; late a State senator of Pennsylvania; resident of New Mexico past eight years.

C. A. Spiess: A lawyer of considerable attainments; present district attorney for fifth district of New Mexico; formerly an educator; a man of large experience as a legislator; has lived in New Mexico about twelve years.

James S. Duncan: A railroad and irrigation contractor and builder; a man of vast experience and high attainments generally; has lived in New Mexico about eighteen years.

Albert B. Fall: Late associate justice of the supreme court of New Mexico; a lawyer of high attainments and large experience; late a captain in the Rough Riders.

W. A. Hawkins: A lawyer of exceptionally high standing; represents some of the largest interests in the Southwest.

M. Martinez: Ranchman and stock raiser; a good scholar and linguist; has had large experience as a legislator; a native of New Mexico.

V. Jaramillo: Ranchman and stock raiser; a young man of education and high social attainments; graduate of Notre Dame College, Indiana; a native of New Mexico.

Amado Chavez: A native of New Mexico; ranchman and stock raiser; late Territorial superintendent of education; late mayor of the city of Santa Fe; a scholar of a very high order and large experience as a legislator.

Saturnino Pinard: A native of New Mexico; linguist and scholar of considerable attainments; a man who has been prominent in his section of the Territory for many years, having held many official positions.

As to the house, it stands 21 Republicans to 3 Democrats, the membership and a description of which is as follows: Every one of them speaks English. An interpreter will probably be entirely dispensed with in the coming legislative assembly, and the money therefor covered back into the National Treasury; at least a movement is on foot now to have that done.

McIvers.

M. B. Stockton.

C. Sanchez: Speaks English and Spanish well.

W. F. McCash.

Antonio Lucero: Teacher in Las Vegas schools; fine English scholar.

Gregorio Gutierrez: Fine English scholar.

Pedro Romero: Fine English scholar.

Celso Baca: Fine English scholar.

William Kirkpatrick.

R. L. Baca: Scholar of high order.

Pedro Sanchez: Speaks English moderately.

Granville Pendleton.

David Martinez: Good English scholar.

Antonio D. Vargas: Good English scholar.

Celso Sandoval: Good English scholar.

Nestor Montoya: Linguist, educator, and editor of high attainments.

Alexander Bowler: Civil engineer.

H. H. Howard: Editor.

W. H. H. Llewellyn: District attorney.

A. W. Pollard.

C. A. Dallies.

Martin Sanchez: Speaks English well.

E. C. Holman.

A. A. Sedillo: An accomplished linguist.

I have read that entire, in order that I may call the attention of the Senate to the fact that they have for the legislative senate in New Mexico a body of men in whom every man knows the interests of that Territory will be safe as legislators—safer, Mr. President, than they can possibly be in our hands, for in order that there may be intelligent and satisfactory legislation there must be not only natural ability, but there must be acquaintance with the subject about which we seek to legislate, and it is not possible for us to have the familiarity about the subjects concerning which they must legislate in New Mexico which the men of the character who are now members of the senate of New Mexico have. They not only compare favorably with the senate of any Territory we have ever had when admitted to statehood, but they compare favorably with the senate of any State in this Union, and I think they would compare favorably with some people who get into Congress.

Now, as to the courts, a great deal has been said to the effect that interpreters must be used in all the courts, and it is sought to create the impression that Spanish is spoken everywhere and that everything is transacted in Spanish. Mr. President, the records of the courts throughout the Territory are kept, not in the Spanish language, but in the English language, and they are nowhere kept more neatly and satisfactorily than they are in the courts of New Mexico. The only place where court records are kept in the Spanish is in the courts of the justices of the peace. There they are kept in both Spanish and English accordingly as the parties interested may be Spanish or English.

I have a statement here furnished by Mr. RODEY to which I wish to call attention. Under the head of "courts," he says:

As to our counties, nine of them—

They have 21 counties in New Mexico all told:

Courts.—As to our counties, nine of them, that is, (1) Chaves, (2) Colfax, (3) Eddy, (4) Grant, (5) Luna, (6) McKinley, (7) Otero, (8) San Juan, (9) Sierra, are inhabited by a class of people mostly from the States, so thoroughly American and English speaking as that interpreters are never used at all in the counties, save in rare instances when a witness is called who can not speak English, and then an interpreter is used to interpret his evidence only to the court and jury.

As to six other counties—that is, (10) Bernalillo, (11) Guadalupe, (12) Lincoln, (13) Santa Fe, (14) Socorro, (15) Union—are inhabited about equally by "Americans" and "natives," although the vast majority of them speak English, still interpreters are used about half the time. This would not be necessary were it not for the decided disinclination of the "Americans" to do jury duty. They make all sorts of efforts to avoid such duty, while the "natives," not being otherwise so extensively engaged as the "Americans," like such duty. The result is that in these six counties interpreters are neces-

sary a portion of the time, when if the "Americans," so called, did not make such efforts to avoid their jury duty the necessity for interpreters could be avoided.

As to the other six counties—that is, (16) Donna Ana, (17) Mora, (18) Rio Arriba, (19) San Miguel, (20) Taos, (21) Valencia—the inhabitants are about three-fourths "natives," although a good three-fifths of them speak English well. Still, because of the reasons last above mentioned, that is "Americans" avoiding jury duty, these counties have interpreters all the time in the courts. The "natives" make very good jurors, and no complaint is ever heard from their verdicts.

I will not weary the Senate to read longer, but I shall ask that the whole statement may be incorporated in the RECORD.

The remainder of the paper is as follows:

It will thus be seen that in nine counties of the Territory interpreters are never used as court officials, and in six other counties they are used only a portion of the time, and are only used continuously in six counties.

There is not a single county in New Mexico where, if the court exercised a little care in the selection of the jurors so as to secure "natives" who speak English, and who are abundant and could easily be procured, it would be necessary to have an interpreter for any purpose other than interpreting evidence of a witness for the court and jurors. The necessity for interpreters is growing less and less every day, and it will be but a few years when the reasons for such an officer will have entirely disappeared.

As above set forth, there is no necessity for one in the legislature at the present time.

Conventions.—The "hearings" of the subcommittee of the United States Senate on Territories with reference to the statehood bill have it that interpreters are necessary in political conventions. That is true, because in such conventions there are often present a number of "natives" who do not understand English very well. The statement of the fact that interpreters are needed in such conventions is misleading, because it conveys the idea that they are necessary in all conventions at all times, which is not true.

Many conventions are held where no interpreters are necessary. Many a time an interpreter is elected and acts because it has been a custom in the country for so many years, when as a matter of fact every delegate and person present can understand English well. The old custom which is prevalent in all political conventions of conferring honors upon people by making them vice-president, assistant secretary, temporary chairman, etc., is enlarged in New Mexico, and very often a politician is given prominence by being elected interpreter when there is no need of his services.

It is subject to proof and can be substantiated that in New Mexico to-day more than three-fourths of the people understand and speak the English language reasonably well. There is hardly anybody to be found anywhere in the Territory, old or young, but what understands more or less English, and in the nature of things it could not be otherwise after fifty-six years of "American" government there.

To make a statement baldly, as is made by the subcommittee of the United States Senate, that a majority of the people of New Mexico understand nothing but the Spanish language refutes itself and needs no contradiction. It would have been an impossibility for New Mexico to have been in contact with this nation and under its flag for fifty-six years, as it has been, without all its inhabitants having learned more or less of the English language. The statement that the majority of the people of New Mexico do not understand English or speak it is absolutely not so.

B. S. RODEY.

Mr. FORAKER. Now, Mr. President, this statement of Mr. RODEY is fully justified by the testimony taken by the majority of the Committee on Territories in the Senate when they made their visit to the Territory. I have read that over very carefully. Every judge who was interrogated on the subject took occasion to say that it was true, just as Mr. RODEY states, that Americans dislike jury duty and always seek to be excused as a rule, and that Mexicans like the duty, and they are as a rule accepted and the Americans excused. But every judge testified also that the Mexicans make good jurors. They said they are careful, thoughtful men, and there was seldom occasion to disturb one of their verdicts.

Something else was testified to—speaking now of the character of these people—by these judges and by others, whose words we have a right to accept without any qualification, and that is that there is no more than the ordinary amount of crime in New Mexico or in Arizona—I mean no more than the ordinary amount of crime as compared with the States of the Union. There is no more crime in Arizona, there is no more crime in New Mexico, than you will find in Ohio, Pennsylvania, and other States; and the crimes as a rule are not of an unusual character. Now and then there is a murder, just as there is anywhere.

There is more or less of cattle stealing, stock thieving, and there are other petty offenses not necessary to be enumerated. But one thing which attracted my attention was the statement, made repeatedly in the course of this testimony, that throughout New Mexico and Arizona they are so free from crime, particularly the crime of burglary and larceny, that you rarely find anyone locking and bolting his doors at night. Doors are left open. There is no thought of there being a necessity to take the ordinary precaution which we would not think of dispensing with, of locking and bolting our doors against all comers at nightfall or when we retire for the night.

That is the character of that community. There are, of course, some bad people there. There are some bad people in every other community. I have never known one where they did not have a reasonably fair share. But in Arizona and New Mexico in every community you will find the church, and not only one church, but if it be a community of any size you will find practically all the churches represented—the Catholic church and the Protestant churches, the Methodist, the Presbyterian, and the Baptist. Everybody seems to belong to some church. The churches are well sustained. And throughout New Mexico and Arizona you will find in every community a schoolhouse, and

you will find it well attended and well arranged, and you will find good effects resulting from it.

In Arizona they have a system of compulsory education. They do not ask a boy there whether he wants to go to school, but he is compelled to attend. They are far in advance of many communities in the States in that respect. In short, they place a proper estimate on religion, morality, and education, the three great essentials to good government in this country.

That is not all, Mr. President. They are a patriotic people. In the civil war they responded promptly beyond their proportion when the country made its call for defenders. Three regiments were organized in New Mexico who went into the Union Army and rendered conspicuous service. Their record is one of heroism and gallantry not surpassed by the regiments of any of our States, so far at least as the average is concerned.

In the recent war with Spain both Arizona and New Mexico responded promptly at the first call, and from there came the gallant men who as a part of the Rough Riders helped to make history and helped to make a President of the United States. When McKinley fell by the hand of an assassin and it was by somebody suggested that there should be a fund raised by voluntary subscription with which to build a memorial monument and such call was issued, that country responded by contributing more per capita than any other State or Territory in the United States.

These are not wild barbarians, not bummers, schemers, promoters, and politicians hunting places, but civilized Americans, representing our best citizenship. They are a busy people, developing a great country, contending against the difficulties and the obstacles of nature, and contributing at the same time, Mr. President, to build up a commonwealth which will be a credit to the United States.

They are not a people to be rejected because they speak two languages. We heard more than an hour of the time of this body taken the other day in an undertaking to prove that they speak two languages. Well, Mr. President, it is better to be able to speak two languages than not to be able to speak one.

I never heard of it being urged as a disqualification for anything that a man can speak two languages. Especially it should not be heard as an objection on this application now for statehood, that these citizens of the United States can speak also the Spanish language. We have been making some Spanish acquisitions. There is a demand for people who can speak the Spanish language.

There always has been a propriety in understanding and speaking the Spanish language, so great a propriety that at both our governmental academies, the Naval Academy at Annapolis and the Military Academy at West Point, it is a part of the course, and every officer graduated from there is required to be able to speak, write, and understand the Spanish language.

Neither is it a disqualification that they are foreigners. We heard a large part of the Senate's time taken up in urging that these people ought not to come into the Union because they were not all American citizens. We have a number of communities in this country where the foreign element is very largely represented, and I am going to call attention to one. I refer to Minnesota. There is no State now in the Union where they have a more loyal, faithful, capable, creditable population than they have in Minnesota. That is not in spite of the fact that they have foreigners, but because the foreign element is sometimes a very valuable mixture.

Let me call your attention to what the statistics show as to the State of Minnesota. There is no better State in the Union, but what I call attention to shows that a representative of that State is the last one to question the fitness for statehood of a people on the ground that a large percentage of them are foreigners.

It is contended that a large part of the inhabitants of New Mexico are Spaniards and Mexicans. The truth about that is that a majority are of the Spanish-Mexican race, some of them living there before the Territory was ceded to us, some of them coming there from Mexico since, most of them, however, born there. Nearly all of them, while speaking their own language by preference, are able, however, to speak and understand our language, and those people are aiding the Americans who have gone there to develop that country and build it up and make it a great, strong, wealthy, capable Commonwealth, such as it is rapidly becoming.

But listen now about Minnesota. The total population of the State according to the census of 1900 was 1,751,394. Total native born population 1,246,076. Total foreign-born population 505,318. The foreign born population consists of—

Austrians	8,872
Bohemians	11,147
Canadians	47,578
Danes	16,299
English	12,022
French	1,449
Germans	117,007
Dutch	2,717

Hungarians	2,182
Irish	22,428
Italians	2,222
Mexicans	24
Norwegians	104,895
Poles	11,861
Russians	5,907
Scotch	4,810
Swedes	115,476
Swiss	3,258
Welsh	1,288
Other countries too numerous to be mentioned	14,576

If they should all talk at once the Tower of Babel would not be worthy of mention.

Mr. BATE. How many natives?

Mr. FORAKER. This table shows the native population to be 1,246,076.

Now, Mr. President, with that admixture of foreigners, as I said, they have had enough good sense to have built up a great Commonwealth, to have made a proud record for themselves, and to have sent to this body as their representative the distinguished Senator who has addressed us in opposition to the admission of New Mexico to statehood.

Mr. CLAY. I will ask the Senator from Ohio if he is reading a statement of the population of Minnesota at the present time or at the time she was admitted.

Mr. FORAKER. I was reading from the population of Minnesota according to the census of 1900.

Mr. CLAY. I will ask the Senator what proportion of the population of Minnesota were foreigners at the time Minnesota was admitted to the Union. Is it not true that about 45 per cent of them were foreigners at that time?

Mr. FORAKER. I regret to say that I am unable to answer that question. I did not think to look at that. But what I want to say is that Minnesota is one of the best States in this Union. Her population, as everybody knows, is an intelligent, patriotic, busy, and capable population. They have never made any mistake in selecting Representatives to the Congress of the United States in either House, certainly not beyond the average number made by States as a rule. Their whole record is a creditable one, and I cite the fact that they have this foreign-born population to show that it does not follow because there are foreign-born citizens in the Territory of New Mexico that that Territory is disqualified for admission to statehood.

I want to say something else here. I say it does not follow because a population is small as compared with that of other States in the Union that they are not capable of doing good work as Commonwealths in this Union. In that respect, I call attention to the fact that the smaller States in this Union have almost invariably given us able statesmen as their contribution to the statesmanship of this country.

Look about this Chamber; look at Vermont, at New Hampshire, at Rhode Island, the representatives of which now appear in opposition to this bill. Here they are, the smallest of the States; but as they are among the most ably represented here now, so, too, is it a fact that they have ever been among the most ably represented in this body. That is not all. Not only have Vermont and New Hampshire and Rhode Island and Delaware—although Delaware is not represented here now—and Maryland and these other smaller States always been ably represented but the great States of the Union were as ably represented when they were in their infancy, relatively as to population, as they are now.

Go back to the history of my own State, and no abler, no more distinguished, patriots than were the early Senators from that State have ever represented the State in this body; and as there was that kind of representation at the beginning, so there was that kind of representation through all the early life of our great State. When she had a population of only two or three hundred thousand she never made a mistake in electing a Senator.

In other words, Mr. President, the lesson of this fact is that an intelligent and small electorate can always, as a rule, be depended upon to select able and capable men to represent them in the Congress of the United States. It was so as to Indiana. No greater names are on the roll of statesmen showing membership in this body than those who represented Indiana in the early days of that State; no greater than those that represented the State of Illinois in her early years of statehood.

I will not say they were abler than the men who represent those States now; I would not do that; but I mean to say, and that is sufficient, that they compare favorably with their ablest representatives. We have never suffered on account of small States. Therefore, when Senators stand here and say, "Oh! we can not afford to let any more of these small States into the Union; it is an outrage that 250,000 people in New Mexico or Arizona should be invested with statehood, and be given two Senators on the floor of this Chamber to have the same voting power as New York and Pennsylvania"—when Senators say that, I call their attention to the fact that it has never been required, in determining the

qualifications for statehood, that there should be equality of population to the end that there might be equality of representation here in this body, but only that there should be the basis of representation for one Representative in the House of Representatives.

Each one of the American States is provided for by the Constitution as to this Chamber. Here there is an equality of States; and until you can show that the legislation of this country has suffered because small States have been allowed to have two Senators here the argument can not avail as against the provisions of the Constitution and the precedents of this Government from the very beginning.

Mr. President, in this connection I want to call attention to something else in favor of these people. So much has been said to their disparagement that it is pleasant for me to be able to point to the records and statistics to show something that is to their credit.

I called attention to the growth of their post-offices, to the growth of the internal-revenue receipts, to their land entries, and to other things that showed that there was great industrial development going on, that there was a great increase in population, and now I want to call attention to something that reflects upon their morals—something which I take from the finance reports for 1890, 1891, and 1892, which show that in New Mexico for the year 1890 there were 7 tobacco factories, and that there was an increase of the number to 1900, when there were 16. At the same time it is shown that in 1890 there were in New Mexico 5 distilleries, and that there has been a gradual decrease until at this time there are but 2. In 1890 there were 7 breweries, and in 1900 there had been such a decrease that there were but 2.

So, Mr. President, while they have been growing in population, while they have multiplied their industries, while they have been diving down into the mines, bringing up rich mineral, and adding to the wealth of the country, while they have added to the prosperity of the Territory, while they have been on the frontier, as the Senator from Maine [Mr. HALE] suggested, yet at the same time, while building their churches and building their school-houses, they have been abolishing and dispensing with their distilleries and breweries; and some of the Senators who represent States on this floor can not show as good a record in these respects; and no Senator can show as better as to his State.

Practically the same has been the result in Arizona. In 1890 they had ten breweries; now they have only three. Figures are so tedious that I dislike to stop to deal with them. But, Mr. President, I have said enough and I have detained the Senate much longer than I intended when I commenced. It was my purpose to show why it is that I am making this contention, not in accord, perhaps, with the majority of my party, in regard to this question. I have no election about it.

I supposed it was a settled proposition when we came out of the national Republican convention of 1900 that the Republican party of this country proposed to do what we had promised to do to bring these Territories into statehood. I supposed we had so settled it. I have been in favor of the unqualified admission of these Territories from that time until now. I helped draft that declaration, and I helped to secure its adoption. Without new light I could not repudiate it now, and, Mr. President, I have had no light except only that which has strengthened me in the belief that I was right then and that I am in the right now.

I believe that New Mexico is entitled, according to a fair interpretation of our treaty obligations, to admission without regard to any question, excepting only that of population, she having more than the equal of the unit of representation. I believe that in the exercise of our authority and sound discretion the Congress is justified in admitting Arizona, although at this present moment she does not have a population, perhaps, equal to the unit of representation. I believe we are justified in that, because I do not believe with the Senator from Minnesota that it is no injustice to those people and no hardship to those people to continue them under a Territorial government.

It is an injustice and it is a hardship. "Oh," they tell them, "you have good judges sent to you, and the President selects good governors to rule over you." Let it be conceded that that is all true. Mr. President. I have no disposition to raise a question that will involve personalities; but let it be conceded that that is true, and yet the spirit of every American revolts at the idea that he is not to be allowed to select his own judge and his own governor and his own other representatives, whether high or low. That has been the spirit of Americans from the beginning.

We believe in self-government, Mr. President. Every man who has left his home in the East, where he was living in comfort and peace, and has gone down to this frontier life and taken up his habitation in one of these Territories has gone there with the promise handed out to him by our unbroken precedents that, as soon as they have a population equal to the unit of representation, or substantially so, and it is consistent with the general interests, they shall have the reward of statehood.

That is the promise made to every man who goes there and, Mr. President, this Government has got value received for that promise. It was to the interest of this nation to encourage people to go into the Territories to subdue the forest, to drive out wild beasts, and to drive away the redman, and to make there a habitable home for American citizens; it is to the interest of this people to have men induced to do that, and for that reason we said, having popular representation, in the other House, we will give you equal representation by giving you statehood in the Senate of the United States; we will give you statehood in order that you may elect not only your governors and your judges but your legislatures who are to legislate for you.

Mr. President, what do we know about what the law should be in New Mexico in regard to mining and other industries peculiar to that Territory? We know only as the information is brought to us. Those people are there; they are on the ground; they are intelligent and capable; they know what their interests require; and they know, Mr. President, how to subserve their own interests.

Mr. BEVERIDGE. Mr. President—

Mr. FORAKER. In a moment.

Moreover, every man and every citizen of this country who has fought in two wars especially desires that he may be allowed to participate in the selection of a President and Vice-President of the United States.

Mr. BEVERIDGE. I understood the Senator to make the point that the people there know better what local laws they need than we do here. Is it not true that the Territorial legislature passes all the local laws the people of the Territory need as much as it is true of a State?

Mr. FORAKER. Yes; it is true that they pass laws of a local character, subject to revision and repeal by the Congress of the United States.

Mr. BEVERIDGE. But has Congress revised or repealed any of the laws passed by the legislature of New Mexico except—

Mr. FORAKER. No; because their ability as legislators has been so pronounced and acceptable that Congress has not cared to do so.

Mr. BEVERIDGE. Then is there any complaint from that source?

Mr. FORAKER. Yes, of course there is. Who wants the Government of the United States supervising what the legislature does, and does so capably that we do not think of taking exception to it? The very fact that there has never been occasion to interfere with the work of the legislature of New Mexico is conclusive that the people of that Territory are capable of statehood and State government. That is the very point I want to make.

Mr. President, there are very many other reasons I might give why a Territorial government is not acceptable, as compared with statehood, to a people like that. For more than fifty years they have patiently waited our action. They should not be required to wait any longer.

This bill provides that all three of these Territories shall be admitted together. It might be that if I had had the original drafting of the bill or if I had had the initiation of this matter I should have provided differently, but it was thought, according to the judgment of those having it in charge, that this was the best and most acceptable way in which to do it, and I see no objection, certainly no objection that any Republican has a right to make in view of our party's declaration and our party's record upon the subject, and I therefore see no valid reason for the exclusion of these Territories from statehood longer. Consequently I shall vote with the greatest pleasure for the omnibus bill.

Mr. BURNHAM. Mr. President, with the leave of the Senate, I wish to postpone the remarks I intended to make upon this bill until to-morrow.

Mr. QUAY. Mr. President, I ask for the regular order if there is nothing more to be said.

The PRESIDENT pro tempore. The bill is in the Senate as in Committee of the Whole and open to amendment.

Mr. BEVERIDGE. Mr. President, I understood the Senator from New Hampshire [Mr. BURNHAM] to state that he proposes to address the Senate upon the pending measure to-morrow, and I understood him to make the request that he be permitted to do so.

Mr. BURNHAM. That was my intention.

Mr. QUAY. I did not so understand the Senator. Probably he was approaching that point, Mr. President.

The PRESIDENT pro tempore. The Chair did not understand the request of the Senator from New Hampshire.

Mr. BURNHAM. I will state my request again. It is that I may proceed with my remarks to-morrow.

The PRESIDENT pro tempore. The Senator from New Hampshire proposes to proceed with his remarks on the pending bill to-morrow.

Mr. QUAY. He gives notice that he will proceed to-morrow.

The PRESIDENT pro tempore. The Senator from New Hampshire gives notice to that effect.

Mr. QUAY. There is no objection to that; but in the meantime some one else should proceed this afternoon. It is not proper that the time of the Senate, with so much public business pressing upon us, should be wasted, throwing away a quarter of the afternoon, and that we should defer the discussion of this debate until to-morrow morning.

Mr. BEVERIDGE. I will say to the Senator from Pennsylvania that there is no design to waste any fraction of the time of the Senate; and I so served notice upon the Senate and the Senator from Pennsylvania when the last adjournment occurred.

The Senator from New Hampshire [Mr. BURNHAM] is the next Senator who will address the Senate upon this question, and he made this request, because, I suppose, he has been taking notes of what the Senator from Ohio [Mr. FORAKER] has said. It was also understood, Mr. President, without any express agreement, as the Senator well knows, of course, and as I know, it was the general understanding that there was to be an executive session this morning—

Mr. QUAY. There was no objection to that.

Mr. BEVERIDGE. And that we should come out of executive session at 2 o'clock, when the Senator from Ohio would conclude his remarks; and then it was generally understood—at least I so understood it, although I am willing to admit I had no authority for it—that after the Senator from Ohio had concluded his remarks the Senate would resume the consideration of executive business. For that reason the Senator from New Hampshire might not be as ready to proceed now as he might be to-morrow morning. However, if it is necessary, we can accommodate the Senator from Pennsylvania.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business, if the Senator yields the floor.

Mr. QUAY. I had the floor, I supposed.

The PRESIDENT pro tempore. The Senator from Indiana [Mr. BEVERIDGE] has the floor. Does he yield?

Mr. BEVERIDGE. I yield.

Mr. CULLOM. I renew my motion that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

Mr. CULLOM. I do not want to take the Senator from Indiana off the floor—

Mr. BEVERIDGE. Not at all.

Mr. CULLOM. But as he seems to be hesitating about proceeding, I move that the Senate proceed to the consideration of executive business.

Mr. QUAY. Mr. President, if we can not have a vote on this bill I have no objection to expediting the public business as far as possible this afternoon.

Mr. BAILEY. The trouble about that is that the omnibus statehood bill has been here a long time before any treaty, and I think it but fair that the omnibus bill should be in due order taken out of the way before the time of the Senate is devoted to a treaty. If the opponents of the statehood bill expect to dispose of the other business properly coming before the Senate, they ought to make up their minds that they must dispose of the statehood bill.

The PRESIDENT pro tempore. The motion made by the Senator from Illinois [Mr. CULLOM] is not debatable.

Mr. HOAR. Mr. President—

Mr. CULLOM. I yield to the Senator from Massachusetts.

The PRESIDENT pro tempore. Does the Senator from Illinois withdraw the motion for an executive session?

Mr. CULLOM. I withdraw the motion temporarily, to enable the Senator from Massachusetts to make some remarks.

Mr. HOAR. I should like to say about three or four sentences in reply to one thing said by the honorable Senator from Ohio [Mr. FORAKER] if he will give me his attention.

The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. HOAR. The Senator from Ohio, in the course of his very earnest and eloquent speech, quoted some language of Josiah Quincy, of Massachusetts, in regard to the admission of Louisiana. Of course, no man could take any exception to that quotation or to what the Senator said in reference to it. It seems very naturally to be one of the strange things in our history that a man like Josiah Quincy should have occupied that attitude. Mr. Quincy was the president of Harvard when I was a student there. He was the very dear and intimate friend of my kindred of my own name of the previous generation, and I feel in regard to his memory almost as I would in regard to the memory of a father or of a very near kinsman. I think, therefore, what Mr. Quincy said ought not to be quoted without calling attention to the conditions then existing.

Mr. Quincy was, I think, one of the foremost and loftiest examples of noble civic virtue which the Republic, rich in such examples, has had in its history. He was the son of the famous orator, patriot, and martyr of Revolutionary time, whose name,

like those of Sam Adams and John Adams, of Massachusetts, the Gadsdens and Pinckneys, of South Carolina, and those of the great Virginia constellation, is on every man's lips.

Mr. Quincy spoke at a time when the telegraph and steam were unknown, and the declaration of the statesmen of that day that it was impossible to keep and maintain the Union with States upon the Pacific coast, or even in the heart of the continent, was simply the result of the fact that they could not foresee those two great marvels. I think it was in Mr. Jefferson's Administration, when Lewis and Clark came back, they reported having stopped at a trading post named St. Louis, on the Mississippi River, and, if I mistake not, it was a journey of several months from there to the Eastern seaboard. I have forgotten whether it was three months or six months, but I dare say there are Senators in abundance who will remember. At any rate, the method of communication was very slow.

In regard to Mr. Quincy's earnestness upon the subject, it must be remembered that Mr. Jefferson himself declared that this measure was unconstitutional; and that was the opinion of the statesmen of that time generally. Mr. Quincy, who was a man of honor, had taken an oath, had held up his hand before God and sworn by the most sacred obligation that humanity can take upon itself, that he would not violate that Constitution. With him it was a little matter of an oath. That is all. Whatever anybody else may have done, or whatever anybody else may be pardoned for doing, I do not think the time has yet come when any man's memory is to be held in dishonor because alone and by himself he kept the honor and sacredness of his oath.

Mr. FORAKER. Mr. President—

Mr. HOAR. The Republic has many honored and illustrious names of men who thought they could or fancied they could, with real public advantage, break the great obligation which is in the end the security of the Republic against tyranny and against anarchy. For one I mean to stand by Josiah Quincy.

Mr. FORAKER. Mr. President, I only rise to call the attention of the Senator from Massachusetts and of the Senate to the fact that in quoting what Josiah Quincy said on the occasion referred to, I took occasion to say that he was a man of ability, that he was a patriotic man, that he was a conscientious man, and that he was speaking in accordance with his sense of public duty. The point I was making in quoting from him and from others was that as good men as Josiah Quincy and Daniel Webster might be mistaken as to the future of a section that we were proposing to admit into the Union.

Mr. HOAR. I so understood the Senator.

Mr. FORAKER. Very well.

Mr. HOAR. I did not understand the Senator to have said anything in disparagement of Mr. Quincy. I only said that I thought that in referring to what seemed extraordinary language on his part—for it was extraordinary language the Senator was quoting—it should be remembered that it was before the time of steam when it seemed impossible to anybody that we could hold together an empire extending across the continent, and also that what he said was inspired by his reverence for his oath of office.

LAND TITLES IN MISSISSIPPI.

Mr. McLAURIN of Mississippi. Mr. President, there was reported unanimously this morning, from the Committee on Public Lands, without amendment, a short bill, entirely local in character, for which I ask unanimous consent that it may now be considered. It is the bill (S. 6779) to quiet certain land titles in the State of Mississippi.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent for the present consideration of the bill named by him. Is there objection? The Chair hears none, and the bill will be read to the Senate for information.

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

Be it enacted, etc., That in all cases in which lands in the State of Mississippi have heretofore been sold by authority of the State of Mississippi, or by claim of authority of the State of Mississippi, and the right to make sales was claimed to be by virtue of an act of Congress approved September 28, 1850, entitled "An act to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits," the said lands so sold as aforesaid shall be held to be of the class and kind mentioned in said act of Congress, and said sales are hereby ratified and confirmed, and the titles to said lands are hereby validated and vested in the purchasers, respectively, thereof as if the date of said sales in all respects as if title of the United States had passed by such sales.

SEC. 2. That where any of said purchasers has conveyed any of the land as purchased by him or her, his or her vendee or subvendee shall be vested with title as if the title of such purchaser had been perfect by such original purchase.

SEC. 3. That this act take effect and be in force from and after the date of its approval.

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

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 20, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 19, 1903.

COLLECTORS OF CUSTOMS.

Walter Fifield, of New Jersey, to be collector of customs for the district of Great Egg Harbor, in the State of New Jersey. (Reappointment.)

Richard G. Banks, of Virginia, to be collector of customs for the district of Norfolk and Portsmouth, in the State of Virginia. (Reappointment.)

MARSHALS.

Thomas F. McGourin, of Florida, to be United States marshal for the northern district of Florida. (A reappointment, his term having expired January 9, 1903.)

Frank W. Wait, of Michigan, to be United States marshal for the western district of Michigan, vice A. Oren Wheeler, term expired.

PROMOTIONS IN THE NAVY.

1. Commander Harrie Webster, to be a captain in the Navy from the 4th day of January, 1903, vice Captain Charles W. Rae, an additional number in grade.

2. Lieut. Commander John M. Robinson, to be a commander in the Navy from the 4th day of January, 1903, vice Commander Charles W. Rae, promoted.

3. Lieut. William S. Smith, to be a lieutenant-commander in the Navy from the 4th day of January, 1903, vice Lieut. Commander John M. Robinson, promoted.

1. Surgeons Lloyd W. Curtis and Henry B. Fitts, to be surgeons in the Navy, with the rank of lieutenant-commander, from the 2d day of December, 1902.

3. P. A. Surgs. Washington B. Grove and Raymond Spear, to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 7th day of November, 1902.

5. Chaplain John P. S. Chidwick, to be a chaplain in the Navy, with the rank of commander, from the 11th day of September, 1902.

6. Chaplain Harry W. Jones, to be a chaplain in the Navy, with the rank of commander, from the 14th day of November, 1902.

7. Civil Engineer Luther E. Gregory, to be a civil engineer in the Navy, with the rank of lieutenant, from the 6th day of April, 1902.

8. Gunner Hugh Sinclair, to be a chief gunner in the Navy from the 5th day of August, 1902, in accordance with the provisions of an act of Congress approved March 3, 1899.

POSTMASTERS.

CALIFORNIA.

Thomas A. Nelson, to be postmaster at Stockton, in the county of San Joaquin and State of California, in place of Thomas A. Nelson. Incumbent's commission expired February 11, 1902.

FLORIDA.

Thomas S. Harris, to be postmaster at Liveoak, in the county of Suwanee and State of Florida, in place of Thomas S. Harris. Incumbent's commission expired December 20, 1902.

William H. Northup, to be postmaster at Pensacola, in the county of Escambia and State of Florida, in place of Rix M. Robinson. Incumbent's commission expired January 10, 1903.

ILLINOIS.

Frederick P. Burgett, to be postmaster at Keithsburg, in the county of Mercer and State of Illinois, in place of Frederick P. Burgett. Incumbent's commission expires January 31, 1903.

William H. Pease, to be postmaster at Harvey, in the county of Cook and State of Illinois, in place of Martin A. Gilson, deceased.

M. H. Spence, to be postmaster at Elmwood, in the county of Peoria and State of Illinois, in place of John Clinch. Incumbent's commission expired January 12, 1903.

INDIANA.

Asa M. Ballinger, to be postmaster at Upland, in the county of Grant and State of Indiana, in place of Asa M. Ballinger. Incumbent's commission expires January 27, 1903.

John W. Hill, to be postmaster at Red Key, in the county of Jay and State of Indiana, in place of Benjamin J. Clevenger. Incumbent's commission expired February 16, 1902.

IOWA.

William H. Crooks, to be postmaster at Adair, in the county of Adair and State of Iowa, in place of William H. Crooks. Incumbent's commission expires January 27, 1903.

David M. Rowland, to be postmaster at Marengo, in the county of Iowa and State of Iowa, in place of David M. Rowland. Incumbent's commission expired January 7, 1903.

David H. Scott, to be postmaster at Griswold, in the county of Cass and State of Iowa, in place of David H. Scott. Incumbent's commission expired December 21, 1902.

KANSAS.

Austin Brown, to be postmaster at Cedar Vale, in the county of Chautauqua and State of Kansas, in place of Austin Brown. Incumbent's commission expired January 17, 1903.

August Kuhlmann, to be postmaster at Hanover, in the county of Washington and State of Kansas. Office became Presidential January 1, 1903.

KENTUCKY.

Miles M. J. Williams, to be postmaster at Eminence, in the county of Henry and State of Kentucky, in place of Miles M. J. Williams. Incumbent's commission expires January 23, 1903.

MASSACHUSETTS.

Samuel R. Moseley, to be postmaster at Hyde Park, in the county of Norfolk and State of Massachusetts, in place of Samuel R. Moseley. Incumbent's commission expired January 10, 1903.

Edwin F. Wyer, to be postmaster at Woburn, in the county of Middlesex and State of Massachusetts, in place of Edwin F. Wyer. Incumbent's commission expires January 26, 1903.

MINNESOTA.

Frank E. Bentley, to be postmaster at Montevideo, in the county of Chippewa and State of Minnesota, in place of Frank E. Bentley. Incumbent's commission expires January 27, 1903.

William E. Easton, to be postmaster at Stillwater, in the county of Washington and State of Minnesota, in place of William E. Easton. Incumbent's commission expires January 19, 1903.

Charles E. Fuller, to be postmaster at St. James, in the county of Watonwan and State of Minnesota, in place of Charles E. Fuller. Incumbent's commission expires January 27, 1903.

Anders Glimme, to be postmaster at Kenyon, in the county of Goodhue and State of Minnesota, in place of Anders Glimme. Incumbent's commission expires January 27, 1903.

Julius E. Haycraft, to be postmaster at Madelia, in the county of Watonwan and State of Minnesota, in place of Julius E. Haycraft. Incumbent's commission expires January 27, 1903.

Florence A. Vanderpoel, to be postmaster at Park Rapids, in the county of Hubbard and State of Minnesota, in place of Florence A. Vanderpoel. Incumbent's commission expires January 19, 1903.

MISSOURI.

A. T. Hollenbeck, to be postmaster at Westplains, in the county of Howell and State of Missouri, in place of Joseph L. Van Wormer. Incumbent's commission expired January 13, 1903.

NEW HAMPSHIRE.

Clarence N. Garvin, to be postmaster at West Derry, in the county of Rockingham and State of New Hampshire, in place of Elizabeth A. Wheeler, resigned.

NEW JERSEY.

Frank A. Brown, to be postmaster at Cranbury, in the county of Middlesex and State of New Jersey. Office became Presidential October 1, 1902.

NEW YORK.

James S. Graham, to be postmaster at Rochester, in the county of Monroe and State of New York, in place of James S. Graham. Incumbent's commission expired January 13, 1903.

NORTH DAKOTA.

Charles H. Potter, to be postmaster at Enderlin, in the county of Ransom and State of North Dakota. Office became Presidential January 1, 1903.

OHIO.

John A. Birkimer, to be postmaster at New Lexington, in the county of Perry and State of Ohio, in place of John A. Birkimer. Incumbent's commission expires January 28, 1903.

Edward P. Flynn, to be postmaster at South Charleston, in the county of Clark and State of Ohio, in place of Edward P. Flynn. Incumbent's commission expires January 24, 1903.

Wirt Kessler, to be postmaster at West Milton, in the county of Miami and State of Ohio. Office became Presidential January 1, 1903.

William H. H. Masters, to be postmaster at Scio, in the county of Harrison and State of Ohio, in place of William H. H. Masters. Incumbent's commission expires January 19, 1903.

PENNSYLVANIA.

Abel H. Byers, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania, in place of Abel H. Byers. Incumbent's commission expires January 28, 1903.

Alfred W. Christy, to be postmaster at Slippery Rock, in the

county of Butler and State of Pennsylvania, in place of Alfred W. Christy. Incumbent's commission expires January 31, 1903.

John H. Dunn, to be postmaster at Parkesburg, in the county of Chester and State of Pennsylvania, in place of John H. Dunn. Incumbent's commission expires January 31, 1903.

John C. F. Miller, to be postmaster at Rockwood, in the county of Somerset and State of Pennsylvania. Office became Presidential January 1, 1903.

Levi Sparr, to be postmaster at Williamsburg, in the county of Blair and State of Pennsylvania. Office became Presidential January 1, 1903.

John S. Wilson, to be postmaster at Columbia, in the county of Lancaster and State of Pennsylvania, in place of Amos R. Hougendobler. Incumbent's commission expires January 31, 1903.

TEXAS.

Robert A. Gaulden, to be postmaster at Mansfield, in the county of Tarrant and State of Texas. Office became Presidential January 1, 1902.

E. R. Williams, to be postmaster at Hamilton, in the county of Hamilton and State of Texas, in place of Richard O. Misener, deceased.

UTAH.

Thomas Braby, to be postmaster at Mount Pleasant, in the county of Sanpete and State of Utah. Office became Presidential January 1, 1901.

VERMONT.

Edward W. Bisbee, to be postmaster at Barre, in the county of Washington and State of Vermont, in place of Edward W. Bisbee. Incumbent's commission expires January 19, 1903.

Albert L. Ransom, to be postmaster at Castleton, in the county of Rutland and State of Vermont. Office became Presidential January 1, 1903.

VIRGINIA.

John R. Waddy, to be postmaster at Norfolk, in the county of Norfolk and State of Virginia, in place of John R. Waddy. Incumbent's commission expired January 17, 1903.

WASHINGTON.

Dan W. Bush, to be postmaster at Chehalis, in the county of Lewis and State of Washington, in place of Dan W. Bush. Incumbent's commission expired January 13, 1903.

WISCONSIN.

Morris F. Barteau, to be postmaster at Appleton, in the county of Outagamie and State of Wisconsin, in place of Morris F. Barteau. Incumbent's commission expires January 28, 1903.

Francis R. Dittmer, to be postmaster at Seymour, in the county of Outagamie and State of Wisconsin, in place of Francis R. Dittmer. Incumbent's commission expires January 28, 1903.

Fitz James Hamilton, to be postmaster at Sturgeon Bay, in the county of Door and State of Wisconsin, in place of Fitz James Hamilton. Incumbent's commission expired January 10, 1903.

Thomas Hill, to be postmaster at Spring Green, in the county of Sauk and State of Wisconsin, in place of Thomas Hill. Incumbent's commission expires January 28, 1903.

William R. McCutcheon, to be postmaster at Thorp, in the county of Clark and State of Wisconsin. Office became Presidential January 1, 1903.

William White, to be postmaster at Algoma, in the county of Kewaunee and State of Wisconsin, in place of William White. Incumbent's commission expired January 10, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1903.

POSTMASTERS.

IOWA.

William H. McClure, to be postmaster at Fontanelle, in the county of Adair and State of Iowa.

Simon J. Mak, to be postmaster at Inwood, in the county of Lyon and State of Iowa.

Asabel B. Chrysler, to be postmaster at Lake Park, in the county of Dickinson and State of Iowa.

Daniel P. Ellsworth, to be postmaster at Lohrville, in the county of Calhoun and State of Iowa.

Francis H. Farley, to be postmaster at Sloan, in the county of Woodbury and State of Iowa.

Executive nominations confirmed by the Senate January 19, 1903.

MARSHAL.

Frank W. Waite, to be marshal for the western district of Michigan.

PROMOTION IN THE NAVY.

Pay Inspector Lawrence G. Boggs, to be a pay director in the Navy from the 28th day September, 1902.

COLLECTORS OF CUSTOMS.

Charles H. Marchant, of Massachusetts, to be collector of customs for the district of Edgartown, in the State of Massachusetts.

Edwin Baker, of Arizona, to be collector of customs for the district of Arizona, in the Territory of Arizona.

REGISTER OF THE LAND OFFICE.

John B. West, of Idaho, to be register of the land office at Lewiston, Idaho.

SURVEYOR OF CUSTOMS.

Thomas B. Stapp, of Tennessee, to be surveyor of customs for the port of Chattanooga, in the State of Tennessee.

APPOINTMENT IN THE MARINE-HOSPITAL SERVICE.

Holcombe McG. Robertson, of Virginia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

George M. Kohler, of New York, to be a second assistant engineer, with the rank of third lieutenant, in the Revenue-Cutter Service of the United States.

POSTMASTERS.

CONNECTICUT.

Aaron S. Chapman, to be postmaster at Simsbury, in the county of Hartford and State of Connecticut.

George A. Warner, to be postmaster at Bristol, in the county of Hartford and State of Connecticut.

Edwin F. Tomlinson, to be postmaster at Plainville, in the county of Hartford and State of Connecticut.

INDIANA.

William H. Burris, to be postmaster at Milford, in the county of Kosciusko and State of Indiana.

Albert D. Peck, to be postmaster at Morocco, in the county of Newton and State of Indiana.

Alexander Abernathy, to be postmaster at National Military Home, in the county of Grant and State of Indiana.

KENTUCKY.

Frank H. Bristow, to be postmaster at Elkton, in the county of Todd and State of Kentucky.

Woodbury Tinsley, to be postmaster at Hartford, in the county of Ohio and State of Kentucky.

James W. Thomason, to be postmaster at Uniontown, in the county of Union and State of Kentucky.

MAINE.

Charles A. Paine, to be postmaster at Eastport, in the county of Washington and State of Maine.

MASSACHUSETTS.

Edward B. Sherman, to be postmaster at Franklin, in the county of Norfolk and State of Massachusetts.

MISSISSIPPI.

John F. Williams, to be postmaster at Biloxi, in the county of Harrison and State of Mississippi.

Mellicent R. McInnis, to be postmaster at Moss Point, in the county of Jackson and State of Mississippi.

NEW HAMPSHIRE.

Clarence N. Garvin, to be postmaster at West Derry, in the county of Rockingham and State of New Hampshire.

NEW JERSEY.

Charles S. Day, to be postmaster at New Market, in the county of Middlesex and State of New Jersey.

Adam Kandle, to be postmaster at Elmer, in the county of Salem and State of New Jersey.

NORTH CAROLINA.

William J. Flowers, to be postmaster at Mount Olive, in the county of Wayne and State of North Carolina.

William H. Long, to be postmaster at Roxboro, in the county of Person and State of North Carolina.

OHIO.

John A. Lowrie, to be postmaster at Seville, in the county of Medina and State of Ohio.

Joel P. De Wolfe, to be postmaster at Fostoria, in the county of Seneca and State of Ohio.

W. J. Swisher, to be postmaster at Wadsworth, in the county of Medina and State of Ohio.

Charles C. Chapple, to be postmaster at Circleville, in the county of Pickaway and State of Ohio.

Rolla A. Perry, to be postmaster at Plain City, in the county of Madison and State of Ohio.

Ernst H. Weber, to be postmaster at Brooklyn, in the county of Cuyahoga and State of Ohio.

Ezra L. Gill, to be postmaster at Sunbury, in the county of Delaware and State of Ohio.

James Stoops, to be postmaster at Waynesville, in the county of Warren and State of Ohio.

SOUTH DAKOTA.

John H. Dobson, to be postmaster at Alexandria, in the county of Hanson and State of South Dakota.

TENNESSEE.

John L. Murray, to be postmaster at Lexington, in the county of Henderson and State of Tennessee.

Arthur W. Parker, to be postmaster at Sparta, in the county of White and State of Tennessee.

John D. McCarley, to be postmaster at Somerville, in the county of Fayette and State of Tennessee.

Evan T. Warner, to be postmaster at Lafollette, in the county of Campbell and State of Tennessee.

COMMERCIAL CONVENTION WITH CUBA.

The injunction of secrecy was removed January 19, 1903, from a commercial convention between the United States and Cuba, signed at the city of Habana on December 11, 1902, and also from the amendments proposed to said convention by the Committee on Foreign Relations.

HOUSE OF REPRESENTATIVES.

MONDAY, January 19, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read, corrected, and approved.

RAILWAY THROUGH FORT SILL RESERVATION.

Mr. HAY. Mr. Speaker, I am authorized by the Committee on Military Affairs to call up the bill (H. R. 9503) to authorize the Oklahoma and Western Railroad Company to construct and operate a railway through the Fort Sill Military Reservation, and for other purposes, and to move to suspend the rules and pass the bill with amendments.

The SPEAKER. The gentleman from Virginia moves to suspend the rules and pass the bill H. R. 9503 with the amendments. The Clerk read the bill, as follows:

Be it enacted, etc., That the Oklahoma City and Western Railroad Company, a corporation created under and by virtue of the laws of the Territory of Oklahoma, be, and the same is hereby, empowered to survey, locate, construct, and maintain a railway, telegraph, and telephone line through Fort Sill Military Reservation, in the Territory of Oklahoma, upon such a line as may be determined and approved by the Secretary of War.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, telegraph, and telephone line, and for no other purpose, a right of way 100 feet in width through said Fort Sill Military Reservation, and a right to take and use a strip of land in said reservation 200 feet in width, with a length of 3,000 feet, in addition to right of way, for stations, with the right to use such additional ground when cuts and fills may be necessary for the construction and maintenance of the roadbed, not exceeding 100 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of said railway, telegraph, and telephone lines; and when any portion thereof shall cease to be used, such portion shall revert to the United States, from which the same shall be taken: *Provided further*, That the said right of way shall be parallel with and contiguous to the right of way granted to the Chicago, Rock Island and Pacific Railroad by the act of Congress approved January 31, 1900; that no more space on the military reservation be given to the said Oklahoma and Western Railroad Company than was given to the Chicago, Rock Island and Pacific Railroad under the terms of the act of January 31, 1900; that the Oklahoma and Western Railroad Company will fence its right of way and lay and maintain sufficient fence equal to that built by the Chicago, Rock Island and Pacific Railroad and will provide and maintain suitable crossings opposite those already provided by the said Chicago, Rock Island and Pacific Railroad; that the said Oklahoma and Western Railroad Company will build and maintain a suitable station house near the station of the Chicago, Rock Island and Pacific Railroad, and distant not more than half a mile from the flagstaff at Fort Sill; that the Oklahoma and Western Railroad Company will provide suitable and sufficient side track at their station and will construct and maintain a side track from their station to the quartermaster and commissary storehouses at Fort Sill; that the Oklahoma and Western Railroad Company will construct and maintain sufficient stock pens and provide sufficient facilities for loading and unloading cattle and horses on the ground set apart for their station: *Provided further*, That the said Oklahoma and Western Railroad Company shall comply with such other regulations or conditions as may from time to time be prescribed by the Secretary of War: *And provided further*, That this act shall not be considered to grant any title to the lands selected for such right of way, but that the right to take and use such lands for said purpose shall be revocable at will by the Secretary of War.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

Mr. PAYNE. Mr. Speaker, for the purpose of having some explanation, I demand a second, and I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from New York demands a second, and asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. HAY. Mr. Speaker, the gentleman from Oklahoma, who introduced the bill, will explain it.

Mr. FLYNN. Mr. Speaker, this bill provides for the confirmation of a right of way already granted by the Secretary of War to this railroad across the Fort Sill Military Reservation. The road is already built and in operation under this temporary per-

mit. It is merely confirming the right of way permitted by the Secretary of War to this company.

Mr. HULL. If the gentleman from Oklahoma will allow me, I will say that I understand this is the same grant that has been given to other roads.

Mr. FLYNN. It is the customary right of way across this reservation.

Mr. LACEY. May I ask the gentleman—

The SPEAKER. Does the gentleman from Virginia yield to the gentleman from Iowa?

Mr. HAY. I do.

Mr. LACEY. I want to ask the gentleman from Oklahoma whether, in the Rock Island right-of-way grant it was provided that it was revocable at the pleasure of the Secretary of War?

Mr. FLYNN. No.

Mr. LACEY. I want to ask the gentleman if he does not think it a mistake to put in such a clause that it might be revoked by a hostile Secretary of War?

Mr. FLYNN. I am glad the gentleman asks that question, because it was never put in any other bill. The committee referred the bill to the Secretary of War and his report was received, and the committee reported on the bill before I had an opportunity to examine into it. After conference with the Secretary of War he suggested certain other changes, but it was deemed advisable by the chairman of the committee to pass the bill as it now is and have the changes made in the other branch.

Mr. LACEY. As I understand, the suggestion I make was raised as an objection before the committee, and their idea is to take care of that somewhere else?

Mr. HULL. That is hardly a fair statement. The Rock Island bill had in it the provision that it might be revoked by the power of Congress to take possession of it whenever the Government might need it.

Mr. LACEY. Why not make this bill the same way?

Mr. HULL. The danger, Mr. Speaker, of the Secretary of War acting from pique, or anything of that kind, is so remote that I can see no earthly objection to leaving it where it is. In fact, in many ways I would rather leave it, as all of these revocable permits are left, where the law places it, with the Secretary of War, who is certainly too large a man to act from pique or any petty reasons.

Mr. LACEY. Mr. Speaker, I want to suggest to the gentleman from Iowa that we have the same question pending in this House in another form. The Committee on Public Lands reported in favor of granting a right of way through the San Francisco Forest Reservation, and the bill was vetoed because of a general law that previously existed. In this general law the Secretary of the Interior was authorized, at his will, to revoke the permit, and the parties furnishing the money to buy the right refused to furnish it. Now, that being so, it resulted in a failure to build the road—

Mr. FLYNN. But this road is already built.

Mr. LACEY. So much the worse to put such a clause in after they have put their money into the road.

Mr. HULL. I do not think there is any objection to it.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question was taken, and, in the opinion of the Chair, two-thirds having voted in favor thereof, the bill was passed.

USE OF COURT-HOUSES AT SCRANTON AND WILLIAMSPORT, PA.

Mr. DEEMER. Mr. Speaker, I am directed by the Committee on Public Buildings and Grounds to move a suspension of the rules for the passage of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. J. Res. 216) extending the provision granting to the State of Pennsylvania the use of the court-house at Scranton and Williamsport, Pa.

Resolved, etc., That the provisions of the "Joint resolution granting the State of Pennsylvania permission to use the United States court-house at Scranton, Pa., and at Williamsport, Pa." approved December 23, 1885, are hereby continued with respect to the United States court-house at Williamsport, Pa., for the further period of five years from the date of the expiration of the permission therein referred to, upon the same terms and conditions as stated in said joint resolution, and that concurrent jurisdiction, so far as is necessary, over said property be, and the same is hereby, ceded to the State of Pennsylvania, so that the sessions of the superior court of said State in said Federal building and rooms thereof may be, during said period, fully legalized.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

Mr. RICHARDSON of Tennessee. On that motion I demand a second.

Mr. DEEMER. I ask unanimous consent that a second be considered as ordered.

There was no objection; and it was ordered accordingly.

The SPEAKER. Does the gentleman from Tennessee [Mr. RICHARDSON] desire to discuss this question?