SENATE.

FRIDAY, *November 20, 1903.*

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

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

The PRESIDENT pro tempore. The Journal will stand approved.

PUGET SOUND AND LAKES WASHINGTON AND UNION CANAL.

The PRESIDENT pro tempore laid before the Senate sundry maps to accompany a communication from the Secretary of War of January 28, 1903, transmitting the report of the board of engineers on improvements of the Puget Sound Canal, etc.; which were referred to the Committee on Commerce.

EMMA N. WARWICK.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Emma N. Warwick, administratrix of John W. Warwick, deceased, *v.* The United States; which, with the accompanying paper, was 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 a bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented petitions of the Baptist Association of Raleigh, Ill.; of the congregation of the Mount Olivet Baptist Church, of Uniontown, Pa.; of the Woman's Christian Temperance Union of San Jacinto, Cal., and of the Young Woman's Christian Association of the Woman's Medical College of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Post B, Pennsylvania Division, Travelers' Protective Association of America, of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

He also presented a petition of Colonel Charles J. Biddle Post, No. 238, Department of Pennsylvania, Grand Army of the Republic, of Kane, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., 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 petitions of the Young People's Society of Christian Endeavor of Trinity Church, of Connellsville; of the Junior Mission Band of the Trinity Lutheran Church, of Connellsville; of the Trinity Lutheran Church Sunday School, of Connellsville; of the Young Men's Christian Association of Newville; of sundry citizens of Newville; of the New Century Club, of Kennett Square; of sundry citizens of West Alexander; of the Young Men's Christian Association of Connellsville; of the congregation of the Baptist Church of Wilkinsburg; of sundry citizens of Wilkinsburg; of the congregation of the United Evangelical Church of Wilkinsburg; of the Epworth League of Gettysburg; of the congregation of the Calvary Presbyterian Church, of Wilkinsburg; of the congregation of the Methodist Episcopal Church of Williamsburg; of the congregation of the Grace Methodist Episcopal Church, of Reading; of the congregation of the Church of God, of Newville; of the Woman's Christian Temperance Union of Newling Township; of the Woman's Missionary Society of the Trinity Lutheran Church, of Connellsville; of the Epworth League of Bird in Hand; of the Woman's Christian Temperance Union of Bird in Hand; of the congregation of the Presbyterian Church of Williamsburg; of the Young People's Society of Christian Endeavor of Mortonville; of the Lincoln Woman's Christian Temperance Union, of Lincoln University; of the congregation of the Methodist Episcopal Church of Altoona; of the congregation of the Calvary Lutheran Church, of Wilkinsburg; of the congregation of the Bethany Presbyterian Church, of Williamsport; of F. E. Willard Legion, Ladies' Temperance League, of Harrisburg; of the congregation of the First United Brethren Church of Philadelphia; of the Northwest Woman's Christian Temperance Union, of Philadelphia; of the congregation of the Twenty-ninth Street Methodist Episcopal Church, of Philadelphia; of the Woman's Home Missionary Society of Washington; of the Woman's Christian Temperance Union of Burgettstown; of the congregation of the First United Presbyterian Church of Sheridan; of the congregation of the Methodist Protestant Church of Sheridan, and of the Haddington Woman's Christian Temperance Union, of West Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Woman's Christian Temperance Union of Passaic; of the congregation of the Methodist Episcopal Church of Mount Hermon; of sundry citizens of Phillipsburg; of Council No. 97, Junior Order of United American Mechanics, of Town Hope; of the congregation of the Presbyterian Church of West Milford; of the Woman's Home Missionary Society of the First Presbyterian Church of Salem, and of the congregation of the West Presbyterian Church, of Bridgeton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented a petition of Colonel Randall Post, No. 648, Department of New York, Grand Army of the Republic, of the State of New York, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Canton; of the congregation of the Methodist Episcopal Church of Cazenovia; of the congregation of the Baptist Church of Cazenovia; of the congregation of the Second Baptist Church of Rochester; of the congregation of the Presbyterian Church of Greenport; of the Woman's Christian Temperance Union of Cancandea; of the congregation of the First Presbyterian Church of Dunkirk; of the congregation of the Methodist Episcopal Church of Smithtown; of the Woman's Club of Staten Island; of General William Floyd Chapter, Daughters of the American Revolution, of Boonville; of the Woman's Christian Temperance Union of Wynants Kill; of the congregation of the First Reformed Church of Wynants Kill; of the congregation of the First Methodist Episcopal Church of Dunkirk; of sundry citizens of Hunter, and of the West Harlem Woman's Christian Temperance Union, of New York, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a memorial of Local Union No. 24, Cigar Makers' International Union, of Muskegon, Mich., remonstrating against the ratification of the reciprocity treaty with Cuba; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Fulton; of Flushing Grange, Patrons of Husbandry, of Flushing; the congregation and Sunday school of the Baptist Church of Flushing; the congregation of the Methodist Episcopal Church of Flushing, and of 755 citizens of Flushing, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ANKENY presented petitions of the Presbyterian Missionary Society of Chehalis, of the Woman's Christian Temperance Union of Oak Harbor, of the Woman's Christian Temperance Union of Dixie, of the Woman's Christian Temperance Union of Huntsville, of the congregation of the Presbyterian Church of Walla Walla, of the Woman's Christian Temperance Union of Spokane, of the Presbyterian Young People's Society of Christian Endeavor of Chehalis, of the Baptist Young People's Society of Christian Endeavor of Chehalis, and of the congregation of the Westminster Presbyterian Church, of Chehalis, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Current Event Club, of Ayer, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Washington, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 71, Order of Railway Telegraphers, of Oskaloosa, Iowa, praying for the passage

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 71, Order of Railway Telegraphers, of Oskaloosa, Iowa, praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. CARMACK presented a petition of the Woman's Christian Temperance Union of Park Place, Chattanooga, Tenn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a memorial of Cigar Makers' Local Union No. 339, American Federation of Labor, of Vincennes, Ind., and a memorial of Cigar Makers' Local Union No. 221, American Federation of Labor, of South Bend, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 2023, United Mine Workers of America, of Hymera, Ind., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Wesleyan Methodist Church of Fairmount, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 2023, United Mine Workers of America, of Hymera, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. LONG presented petitions of Victor Post, Department of Kansas, Grand Army of the Republic, of Fort Dodge; of General Bailey Post, No. 49, Department of Kansas, Grand Army of the Republic, of Girard; of Severance Post, No. 191, Department of Kansas, Grand Army of the Republic, of Severance, and of Washington Post, No. 12, Department of Kansas, Grand Army of the Republic, of Lawrence, all in the State of Kansas, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Sabetha; of the congregation of the Friends' Church of Lowell; of sundry citizens of Sabetha; of the congregation of the Reformed Church of Quinter; of the congregation of the United Brethren Church of Sabetha; of the congregation of the Congregational Church of McPherson; of the congregation of the Methodist Episcopal Church of McPherson; of the congregation of the Evangelical Lutheran Church of McPherson; of the congregation of the Presbyterian Church of McPherson; of the Woman's Christian Temperance Union of Dalton; of sundry citizens of Sabetha, Ness County, Wichita, and Osawatomie; of the congregation of the United Brethren Church of Wichita, and of the Central Woman's Christian Temperance Union of Wichita, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. STONE presented a petition of sundry citizens of St. Louis County, Mo., praying that an appropriation be made for the protection of the bank of the Missouri River so as to prevent the valuable bottom land from being washed away; which was referred to the Committee on Appropriations.

He also presented a petition of the Woman's Missionary Society of the Presbyterian Church of King City, Mo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of the congregations of the Christian and Congregational churches of Rock Falls; of the Normal Park Woman's Christian Temperance Union, of Chicago; of the Woman's Christian Temperance Union of Whiteside County, and of sundry citizens of Terre Haute, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a petition of Gettysburg Post, No. 93, Department of Indiana, Grand Army of the Republic, of Spencer, Ind., and a petition of Blinn Post, No. 394, Department of Indiana, Grand Army of the Republic, of Prairieton, Ind., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Perry County Baptist Association, of Tobinsport, Ind., and a petition of the Tippecanoe Baptist Association, of Lafayette, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 797, of Ayrshire; of Federal Union No. 10106, of Stone Bluff; of Local Union No. 61, of Gas City, and of Local Union No. 244, of Brazil, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called eight-hour bill; which were referred to the Committee of Education and Labor.

He also presented petitions of Local Union No. 797, of Ayrshire; of Federal Labor Union No. 10106, of Stone Bluff; of Local Union No. 61, of Gas City, and of Local Union No. 244, of Brazil, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. COCKRELL presented petitions of the congregation of the First Presbyterian Church of Cameron; of the Woman's Christian Temperance Union of Johnson City; of the congregation of the Methodist Episcopal Church of Hydesburg; of the Epworth League of Hydesburg; of the congregation of the Central Presbyterian Church, of Everton; of the Woman's Christian Temperance Union of Wellsville; of the congregation of the Baptist Church of Montgomery, and of the Woman's Christian Temperance Union of Montgomery, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCUMBER presented a petition of the Woman's Presbyterian Missionary Society of Bathgate, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. STEWART presented a concurrent resolution of the legislature of Nevada, relative to the development work on mining claims and on land containing minerals; which was referred to the Committee on Mines and Mining, and ordered to be printed in the RECORD, as follows:

State of Nevada, twenty-first legislative session. Assembly concurrent resolution concerning development work on mining claims and on land containing minerals. Approved March 17, 1903.

Whereas the Federal mining laws being expressed in the affirmative and providing no penalties for failure to do assessment work, locators are enabled to hold mining land in perpetuity by simple relocation of their claims, without development work of any kind; and

Whereas much land is held under various patents, which land is more valuable for the mineral it contains than for any other purpose; and

Whereas the laws of the various States concerning locations and location work are possibly in conflict with the Federal laws providing for the location of mining claims; and

Whereas the prosperity of the so-called mining States depends to a very great extent on actual development work to be done on mining claims, and that legislation to encourage all such development work is necessary to overcome the inclination to hold mining land by various questionable expedients tending to do away with development in most instances, thus seriously retarding the growth and prosperity of the mining States: Therefore, be it

Resolved by the assembly of the State of Nevada (the senate concurring), That the Congress of the United States be requested to enact laws providing for the forfeiture of the locations of those holders or claimants who fail to do the assessment work required by the statutes of the United States to be done yearly on the claims held by such claimants;

That the Congress of the United States be requested to open all lands held under patents other than agricultural patents to development by miners, such miners to pay for actual damage done by them to and upon such lands;

That the Congress of the United States be, and is hereby, requested to more clearly define the powers of the various States to enact legislation concerning the location of mining claims, preliminary or location work, development work, and forfeiture resulting from failure to do such work;

That the Congress of the United States be, and is hereby, requested to enact legislation of a nature to encourage actual development of mining lands and to discourage the holding of such lands merely in the hope of sale, more or less remote; to place some limit upon the number of claims one locator may hold on one lode or vein or in one mining district, and incorporating into mining patents a condition that land held under such patents shall be developed to some extent or forfeited to the Government of the United States;

That a copy of this resolution be sent by the secretary of the State of Nevada to each United States Senator and to each Representative in Congress from the mining States, and to each Delegate in Congress from each mining Territory west of the Mississippi River, and to the officers of the Congress of the United States;

That the Senators and Representative in Congress from the State of Nevada be, and are hereby, requested to prepare, introduce, and urge the legislation recommended by this resolution at the earliest possible time their convenience will permit.

UNITED STATES OF AMERICA, *State of Nevada, ss:*

I, W. G. Douglass, secretary of state of the State of Nevada, do hereby certify that the above is a true and correct copy of assembly concurrent resolution No. 9, entitled "Assembly concurrent resolution concerning development work on mining claims and on land containing minerals," adopted by the twenty-first session of the legislature of the State of Nevada, and approved by John Sparks, governor of said State, on the 17th day of March, 1903.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Carson, the capital of said State, this 17th day of March, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State,
By GEO. N. NOEL,
Deputy.

Mr. STEWART presented a joint resolution of the legislature of Nevada, relative to the abolishment of the limits of the Pyramid Lake Reservation in certain towns in that State; which was

referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

Assembly memorial and joint resolution relative to the Pyramid Lake Reservation.

Whereas the Government of the United States has heretofore issued to its citizens, by letters patent, title to many hundreds acres of the public domain situated within townships Nos. 20 and 21 north, range 24 east, Mount Diablo base and meridian; and

Whereas said lands lie within the Pyramid Lake Reservation lines; and

Whereas the "Monroe survey," under which said Pyramid Lake Reservation is held, was made in 1865 and sent to the Department at Washington, but was not acted upon until 1874, having no legal existance or withdrawal of lands until the date last mentioned, but in the meantime many locations were made within said limits, including the town of Wadsworth, on the Central Pacific Railroad, and the knowledge of the reservation boundaries was so limited that the Government disposed of a portion of said lands; and

Whereas said Pyramid Lake Reservation now includes the entire Pyramid Lake and large tracts of land comprising a total of 322,000 acres, or an area of more than 500 square miles, a very small portion of which, about 1,000 acres, is occupied or used by the Indians, lying at the southern portion of said lake and near the mouth of the Truckee River; and

Whereas Government agents, without exception, in their reports and otherwise, since 1874 to the present time, have recommended that said reservation be reduced in extent, as it was of much larger proportions than was requisite for reservation purposes; and

Whereas no cultivation or substantial improvements or use have been made upon land within the townships above mentioned by the said Indians: Therefore, be it

Resolved by the assembly, the senate concurring, That our Senators and Representative in Congress be requested to use all reasonable means to *abolish the limits* of said Pyramid Lake Reservation in the townships above mentioned, thereby establishing the south boundary of said reservation at the south line of township No. 22 north, range 24 east, Mount Diablo base and meridian, thereby removing the cloud upon titles granted by the Government, but injuriously affected by useless reservation lines, at the earliest day practicable.

Resolved further, That the governor be, and is hereby, requested to forward copies of this memorial and resolution to each of our Senators and to our Representative in Congress.

MARION S. WILSON,
Speaker of the Assembly.
J. A. CLARK,
Chief Clerk of the Assembly.
L. ALLEN,
President of the Senate.
C. H. MCINTOSH,
Secretary of the Senate.

Approved March 6, 1903.

JOHN SPARKS, *Governor.*

Assembly memorial and joint resolution No. 6, by J. F. Crosby. Memorial and joint resolution relative to the Pyramid Lake Reservation.

February 26, 1903, rules suspended, reading had, considered for first reading; rules further suspended, read second time by title, and referred to committee on federal relations. February 28, 1903, reported back from committee with recommendation that it do pass. March 2, 1903, considered, engrossed, and placed upon third reading and final passage, and passed by the following vote—yeas 33, nays 0, absent 4; transmitted to the senate. F. C. Armstrong, assistant clerk of the assembly. March 3, 1903, received in senate; rules suspended, reading had, considered first reading; rules further suspended, read second time by title, and referred to committee on federal relations. March 5, 1903, reported back from committee favorably with the recommendation that it do pass. Placed upon third reading and final passage, and passed by the following vote—yeas 14, nays 0, absent 3; transmitted to the assembly. E. T. George, assistant secretary of the senate. March 5, 1903, received from senate, sent to enrollment. F. C. Armstrong, assistant clerk assembly.

Filed in the office of the secretary of state this 7th day of March.

W. G. DOUGLASS, *Secretary of State.*

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly memorial and joint resolution relative to the Pyramid Lake Reservation now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 9th day of March, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State.
By GEO. N. NOEL,
Deputy.

Mr. BURTON presented a petition of sundry citizens of Kiowa, Kans., and a petition of the Presbytery, Synod of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

ANGALINE P. ROOT.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. DOLLIVER on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Angaline P. Root, widow of Richard Root, late messenger, acting assistant doorkeeper in the Senate of the United States, a sum equal to six months' pay at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

KATE L. ZIMMERMAN.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. SCOTT on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Kate L. Zimmerman, widow of John R. Zimmerman, late upholsterer and locksmith in the Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

SARAH E. NICHOLS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. CULLOM on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Sarah E. Nichols, widow of John L. Nichols, late assistant in stationery room, Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

JULIA C. BRADLEY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. QUARLES on the 18th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Julia C. Bradley, widow of David B. Bradley, late lieutenant of police in the Capitol of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. I ask the Chair to lay before the Senate the bill from the House of Representatives.

The bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, was read the first time by its title.

Mr. CULLOM. I move that the bill be referred to the Committee on Foreign Relations.

Mr. BAILEY. Mr. President, a parliamentary inquiry. I desire to know if, under the rules of the Senate and without a motion, this bill could be referred to the Committee on Foreign Relations?

Mr. CULLOM. In answer to the Senator from Texas, I will state that I made the motion that it be referred to the Committee on Foreign Relations.

Mr. BAILEY. I understand. I asked the question for the purpose of making another parliamentary inquiry.

The PRESIDENT pro tempore. If objection was made, the Chair is rather of the opinion that it could not be referred to-day, because it would have to be twice read before it was referred.

Mr. BAILEY. Mr. President, I am compelled to object to the reference of the bill to the Committee on Foreign Relations. It certainly, under the rules of the Senate, must go either to the Committee on Finance or the Committee on Relations with Cuba. I should not feel it incumbent on me to object to its reference to either of those committees. It does not appear to me to be a safe practice in the Senate to take from the proper committees a matter within its jurisdiction and refer it to a committee which has absolutely no jurisdiction of any kind over the question of taxation.

Mr. CULLOM. In answer to the Senator from Texas, I will state that it has been the universal practice of the Senate to refer bills to the Committee on Foreign Relations where they were based upon the question of the ratification of a treaty. It is the object of this bill to carry out or to approve the treaty which was ratified by the Senate, and which came from the Committee on Foreign Relations. If the Senator will look up the precedents, he will find that all such bills have gone to the Committee on Foreign Relations, unless they were considered by the Senate without a reference at all.

Mr. BAILEY. Mr. President, the Senator from Illinois has simply called attention to the very ground upon which I make this objection, and that is that a treaty can not be ratified and approved by the House of Representatives. With a treaty the House has nothing to do, and I imagine if it is a revenue bill it could not very well have been originated by the President and the Senate. It is upon that very ground that I desire to have this bill referred as a revenue measure, and not as one approving a treaty.

The PRESIDENT pro tempore. The bill has been read once. Does the Senator from Texas object to a second reading of the bill?

Mr. BAILEY. Mr. President, I do not desire to seem captious in the least. I do not object to the second reading unless it carries with it the reference of the bill to the Committee on Foreign Relations.

Mr. SPOONER. Oh, no; it would then be for the Senate to determine to which committee it should go.

Mr. BAILEY. Of course, I am sure that the Senate will determine to send it to the Committee on Foreign Relations, and I

have no desire to prevent the Senate from taking its own course on that point. I shall simply content myself, after making a protest, with voting against its reference to the Committee on Foreign Relations on the motion.

Mr. ALDRICH. What is the pending question? Is it to refer?

Mr. CULLOM. I made a motion to refer the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. A motion to refer is not in order, objection having been made to the second reading.

Mr. GALLINGER. No objection has been made to a second reading.

Mr. CULLOM. No objection was made. There has been no objection made to a second reading. The objection relates to the question as to which committee the Senate may desire to have the bill referred.

Mr. BAILEY. I did not object to a second reading, because that was not the question before the Senate. I was induced to make a parliamentary inquiry by the motion of the Senator from Illinois to refer the bill to the Committee on Foreign Relations. If it is to be read before that motion is in order, I shall not make an objection to that, and I shall not attempt to prevent the reference to-day except by voting against the motion to refer the bill to a committee which, in my judgment, has no jurisdiction over it.

The bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, was read the second time by its title.

The PRESIDENT pro tempore. The question is on the motion made by the Senator from Illinois [Mr. CULLOM], that the bill be referred to the Committee on Foreign Relations.

Mr. TELLER. Mr. President, I think the motion should be laid aside informally until we get through with the morning business. It is quite an important question, not so much for this bill as bills that may come hereafter, whether it goes to the Committee on Finance or the Committee on Foreign Relations. I suggest that it be laid aside informally until we get through with the morning business, and then the Senator from Illinois can call it up.

Mr. CULLOM. I have no objection to having the bill laid aside informally if the Senator has morning business to present.

Mr. TELLER. Then all Senators who wish to do so can discuss the question.

Mr. CULLOM. I wish to say again that the motion I have made is in entire harmony with the action of the Senate heretofore on such bills.

Mr. TELLER. We can not very well debate the question just now. I should like to hear the authority. I will not myself object to the second reading, and I do not suppose anyone else will object to it; but let it be determined by the Senate that it ought to go to one committee or the other.

Mr. SPOONER. It has been read twice.

Mr. TELLER. If it is laid aside until we get through with the morning business some care can be given to the question.

The PRESIDENT pro tempore. The Senator from Colorado asks that the bill be laid aside until the conclusion of morning business. Is there objection? The Chair hears none, and that order is made.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. ALLISON, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed, together with the accompanying illustrations:

To the Senate and House of Representatives:

I transmit herewith a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company from date of incorporation to September 30, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory," etc., approved March 3, 1901, together with a report submitted by the exposition company, showing progress made by the various departments of the exposition.

THEODORE ROOSEVELT.

WHITE HOUSE, *Washington, November 20, 1903.*

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. LODGE introduced a bill (S. 1503) relating to the residence of postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. BERRY introduced a bill (S. 1504) granting a pension to William A. Daughtry; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 1505) granting a pension to Thomas W. Coe;

A bill (S. 1506) granting an increase of pension to George H. Eastman (with accompanying papers); and

A bill (S. 1507) granting a pension to Franklin L. Mead (with an accompanying paper).

Mr. FAIRBANKS introduced a bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

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

A bill (S. 1509) granting a pension to Emma K. Frazee (with an accompanying paper);

A bill (S. 1510) granting an increase of pension to James H. Mount (with accompanying papers); and

A bill (S. 1511) granting an increase of pension to Jeremiah Davis.

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

A bill (S. 1512) to correct the military record of Josiah T. Postelthwait;

A bill (S. 1513) to correct the military record of Milton McPherson;

A bill (S. 1514) to correct the military record of David P. Morrison; and

A bill (S. 1515) to correct the military record of John McPherson.

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

A bill (S. 1516) granting an increase of pension to Margaret E. Guthrie;

A bill (S. 1517) granting an increase of pension to James J. Hasson;

A bill (S. 1518) granting an increase of pension to Elizabeth Brooks;

A bill (S. 1519) granting an increase of pension to Joseph E. Carr;

A bill (S. 1520) granting an increase of pension to Levi Brader;

A bill (S. 1521) granting an increase of pension to Elizabeth M. Muller;

A bill (S. 1522) granting a pension to Fidelia C. Losch;

A bill (S. 1523) granting an increase of pension to John J. Gangwere; and

A bill (S. 1524) granting an increase of pension to Catherine M. Peck (with accompanying papers).

Mr. GALLINGER introduced a bill (S. 1525) to provide for registering and confirming titles to land 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 a bill (S. 1526) providing that the Federal Government shall not grant liquor-tax receipts to persons residing in prohibition territory, State or local; which was read twice by its title, and referred to the Committee on the Judiciary.

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

A bill (S. 1527) for the relief of the estate of John T. Stringer, deceased; and

A bill (S. 1528) for the relief of the estate of William H. Stringer, deceased.

Mr. DILLINGHAM introduced a bill (S. 1529) for the relief of Frances A. Bliss; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1530) granting an increase of pension to Theron T. Lamphere; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

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

A bill (S. 1531) granting an increase of pension to Joseph Barton;

A bill (S. 1532) granting an increase of pension to Electa Allen; and

A bill (S. 1533) granting an increase of pension to Orville V. Percy.

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

A bill (S. 1534) for the relief of the trustees of the Methodist Episcopal Church of Springfield, Mo.;

A bill (S. 1535) for the relief of the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo.; and

A bill (S. 1536) for the relief of Annie T. Jones, widow of Jonathan L. Jones, deceased.

Mr. ANKENY introduced a bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

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

A bill (S. 1538) granting pensions to officers and enlisted men of the military and naval service of the United States who served ninety days or more during the war of the rebellion, and for other purposes;

A bill (S. 1539) granting an increase of pension to Edward Shiflett;

A bill (S. 1540) granting a pension to Margaret P. Smith; and

A bill (S. 1541) granting an increase of pension to Comodore P. Hall (with an accompanying paper).

Mr. SCOTT introduced a bill (S. 1542) for the relief of James M. Stephenson; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 1543) granting an increase of pension to William W. Jackson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1544) for the relief of W. W. Jackson; which was read twice by its title, and referred to the Committee on Claims.

Mr. DEPEW introduced a bill (S. 1545) granting a pension to Anna M. Gregory; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1546) to amend section 2745 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. KEARNS (by request) introduced a bill (S. 1547) for the erection of a monument to the memory of Commodore John Barry; which was read twice by its title, and referred to the Committee on the Library.

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

A bill (S. 1548) granting an increase of pension to Joseph R. Benham (with accompanying papers);

A bill (S. 1549) granting an increase of pension to Reuben Smalley;

A bill (S. 1550) granting an increase of pension to Charles H. McCarty; and

A bill (S. 1551) granting an increase of pension to Alexander C. Monroe.

Mr. MONEY introduced a bill (S. 1552) for the relief of the trustees of the Baptist Church of Red Banks, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

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

A bill (S. 1554) granting an increase of pension to John D. Pickard;

A bill (S. 1555) granting an increase of pension to Owen E. Newton; and

A bill (S. 1556) granting an increase of pension to Daniel P. Andrus.

Mr. NELSON introduced a bill (S. 1557) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1559) granting an increase of pension to Marie A. Rask; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 1560) granting an increase of pension to William Sweet (with an accompanying paper);

A bill (S. 1561) granting an increase of pension to Samuel P. H. Whitley;

A bill (S. 1562) granting an increase of pension to Riley W. Cavins (with an accompanying paper);

A bill (S. 1563) granting an increase of pension to William D. Galt;

A bill (S. 1564) granting an increase of pension to Daniel W. Working;

A bill (S. 1565) granting an increase of pension to S. N. Rockhold; and

A bill (S. 1566) granting a pension to Josiah C. Ury.

Mr. CLAY introduced a bill (S. 1567) to authorize the employment of additional special agents in the rural free-delivery division of the Post-Office Department; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1568) to increase the compensation of fourth-class postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

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

A bill (S. 1569) granting an increase of pension to Henry Schafnit;

A bill (S. 1570) granting an increase of pension to Jasper Robinson;

A bill (S. 1571) granting an increase of pension to Stella B. Moore;

A bill (S. 1572) granting an increase of pension to Isaac N. Hughey;

A bill (S. 1573) granting an increase of pension to William Q. Haworth;

A bill (S. 1574) granting an increase of pension to Eli Davis;

A bill (S. 1575) granting an increase of pension to George W. Blake;

A bill (S. 1576) granting an increase of pension to Emily M. J. Cooley;

A bill (S. 1577) granting an increase of pension to Elvira C. Compton;

A bill (S. 1578) granting an increase of pension to Cyrus A. Bowers;

A bill (S. 1579) granting an increase of pension to Hampton C. Booth;

A bill (S. 1580) granting an increase of pension to William H. Ambrose;

A bill (S. 1581) granting an increase of pension to Hiram F. Armstrong;

A bill (S. 1582) granting an increase of pension to Alfred R. Babb; and

A bill (S. 1583) granting an increase of pension to Henry R. Bennett.

Mr. COCKRELL introduced a bill (S. 1584) for the relief of J. C. Irwin & Co. and Charles A. Perry & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. NEWLANDS introduced a joint resolution (S. R. 15) inviting Cuba to become a State of the American Union; which was read twice by its title, and referred to the Committee on Relations with Cuba.

Mr. BURNHAM introduced a joint resolution (S. R. 16) to provide for the printing of 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition; which was read twice by its title, and referred to the Committee on Printing.

PROTECTION OF FUR-SEAL HERD OF ALASKA.

Mr. DILLINGHAM submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the concurrent regulations ordered by the tribunal of arbitration and published August 16, 1893, for the protection and preservation of the fur-seal herd of Alaska, under authority of the treaty of Washington, February 29, 1892, have been found after ten years of faithful enforcement and trial wholly insufficient to serve the purpose for which they were created; and

Whereas this failure of these concurrent regulations, if not corrected at once, will result in the immediate and complete extermination of the fur-seal species of Alaska: Therefore, be it

Resolved, That it is the sense of the Senate of the United States that the Government of Great Britain be requested by the Secretary of State to unite with the Government of the United States, without undue delay, in a revision and amendment of the concurrent regulations now in force for the protection and preservation of the fur seals of Alaska, duly established and known as the award of the tribunal of arbitration at Paris, August 16, 1893; and be it further

Resolved, That this request of our Government for the revision of said regulations shall be made at once, so that the British Government shall have a reasonable length of time in which to consider the same before the next pelagic-sealing season opens in February, 1904.

SOLDIERS' ROLL OF THE SENATE.

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

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

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place on a special roll the names of all messengers now on his list of employees

who are employed about the doors, committee rooms, or elevators of the Senate, whose army record, wounds, and disabilities and service in the Senate justly entitle them to favorable consideration, to be known and designated as "The soldiers' roll of the Senate," and to continue such persons in such positions and employment until cause for their removal shall have been reported to and approved by the Senate and their removal directed.

Mr. HALE. As suggested yesterday, I move that the resolution be referred to the Committee on Rules.

The motion was agreed to.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The question before the Senate is on the motion made by the Senator from Illinois [Mr. CULLOM] to refer to the Committee on Foreign Relations the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. BAILEY. Mr. President, I have no doubt the Senator from Illinois correctly states the practice of the body when he says that it has been the custom to refer legislation of this kind to the Committee on Foreign Relations. I must, however, be allowed, as a new member of this body, to express surprise that for so long a time in such an uninterrupted way the Senate has permitted that committee to assume and exercise jurisdiction over subjects not committed to it by the rules. That it is an extraordinary proceeding is made manifest by the fact that a motion was necessary in order to carry it to the Committee on Foreign Relations.

Mr. MORGAN. Will the Senator from Texas allow me just a moment?

Mr. BAILEY. Certainly.

Mr. MORGAN. I have been a member of the Committee on Foreign Relations almost ever since I have been in the Senate, and I do not remember a case when a tariff bill coming from the other House was ever referred to the Committee on Foreign Relations. If the Senator from Illinois can cite any precedent of that sort, I should like to know what it is.

Mr. CULLOM. I will give the history, if the Senator desires, when the Senator from Texas gets through.

Mr. BAILEY. It is to be hoped that the instances of this character of legislation are few, though they have unfortunately occurred before this time.

It seems to me—and that was my whole interest in the matter—the proper practice (and the proper practice ought always to prevail) would be to commit all matters relating to our revenues to the Committee on Finance. If an exception to that rule could be justified, it perhaps would send this particular bill to the Committee on Relations with Cuba. I believe that the Committee on Pacific Islands and Porto Rico has claimed and has been conceded the jurisdiction over bills relating to the revenue of those countries. I believe also that the Committee on the Philippines has claimed—and has had the claim allowed—the right to consider and report upon all questions, including the question of taxation, which relates to the Philippine Islands. Under the precedents thus established in the case of the Committee on the Philippines and the Committee on Pacific Islands and Porto Rico, I should raise no question about the propriety of referring this bill to the Committee on Relations with Cuba.

But, Mr. President, if the Committee on Foreign Relations can thus usurp the functions of the Committee on Finance in this particular case, it seems to me that it could do so in almost every case, because it is impossible to conceive a tariff bill that does not affect our relations with foreign countries.

I can not bring myself to believe that because this bill is in pursuance of a treaty the rule ought to be different, unless, indeed, it is meant to assert here the right of the President to negotiate and the Senate to ratify a revenue measure. Treating the existing convention as inchoate and as of no effect until ratified by Congress does not seem to me to relieve the difficulty of the situation in any great degree. It is predetermined—and I understand that as well as any Senator in this body—that this bill shall become a law, or, rather, that it shall be placed upon the statute book, leaving the question whether it be a law or not perhaps to be determined by the judicial tribunals of the country. Knowing that it is predetermined to pass it through this body, it makes precious little difference whether it is reported for passage by the Committee on Foreign Relations, the Committee on Relations with Cuba, or the proper committee, the Committee on Finance.

I suggest to the Senator from Illinois that the reference he moves will not affect the course of the bill. It will not bring it one day earlier, as I believe, to a vote. Having said this much, in order that it may not be construed as an intimation of a purpose to delay it, I wish to disclaim any purpose of that kind. I want to say that on this question, as on all others, when the debate has been finished I am ready to take the vote. However, I take it that this matter will call for a debate extending beyond the present extraordinary session, if it is expected to adjourn it in advance of the regular session, and the Senator could accomplish every purpose which he has in his mind by allowing the bill to take the usual course of a reference without a motion.

I have no doubt that in the Senate now, or, if it were preferred to wait, after the bill has been reported, an agreement could be reached to take a vote upon the bill on a particular day of the regular session, that particular day being early enough after our regular meeting to serve all the purposes which the friends of the bill have in their minds.

I hope the Senator from Illinois will withdraw his motion and let the bill take the usual and regular course which it would take without a motion.

Mr. LODGE. Mr. President, the jurisdiction of committees can only be determined by the primary object of the measure which comes before the Senate. Many bills come to us from the other House which in different aspects would open jurisdiction to different committees.

It is quite true, as the Senator from Texas says, that a revenue or a tariff bill would affect our relations by the duties imposed or change our trade relations with other countries, but no one would think on that account of referring such a bill to any committee but the Committee on Finance, because the primary object of such a bill is not to affect our relations with another country, but our own domestic revenue. Now, Mr. President, the primary object of this bill is not the adjustment of the American tariff—it is the confirmation by an act of Congress of the provisions of a treaty entered into with the Republic of Cuba.

When the bill making an appropriation to carry into effect the Alaskan treaty of 1867 came over here from the House of Representatives, the purpose of the bill was, as purely as anything could be, to make an appropriation of public money to carry out the purposes of the treaty with Russia. The bill contained nothing else except a resolution, which the House saw fit to pass, of approval, which they added in a single clause. There was nothing else in the bill but an appropriation. It was not one of the great appropriation bills; it was a separate appropriation. That bill was referred to the Committee on Foreign Relations without debate or question, because the Senate understood, as I think is clear about this case, that the primary purpose of the bill was connected with our foreign relations.

The Committee on Foreign Relations is charged with the subject which its name implies—anything relating to our relations with other nations. Under that understanding bills go to the Committee on Foreign Relations in the nature of claims. If they involve the claim of a foreigner or the subject of another state, bills which ordinarily go the Committee on Claims go to the Committee on Foreign Relations, because they involve the relations of this country with other countries.

It seems to me, Mr. President, that we have got to apply that general rule to all bills, and that the question of reference must be decided by their primary purpose. Otherwise we get into inextricable confusion of jurisdiction.

In this case, as in the case of the Alaskan bill, as in cases relating to treaties affecting the revenue, which the Senator from Illinois [Mr. CULLOM] will lay before the Senate—in all these cases the fact that a bill relates directly to a treaty, to a matter coming within the jurisdiction of the Foreign Relations Committee, is taken as the primary purpose, and in the same way with all the reciprocity treaties that came here. Those were treaties that exclusively affected the revenue. The treaty with France was so extensive in its character that it was pretty nearly a revision of the tariff. That treaty went, and I think correctly, to the Committee on Foreign Relations. But in the case of a treaty like that it seems to me that in the proper course of business——

Mr. BAILEY. Will the Senator from Massachusetts permit me to ask him a question?

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

Mr. LODGE. Certainly.

Mr. BAILEY. I ask the Senator if the law under which that treaty was negotiated was not under the general law known as the McKinley Act?

Mr. LODGE. This was under the Dingley Act.

Mr. BAILEY. I understand that. While the purpose of those laws was to authorize the negotiation of a treaty, the bills to approve would not go to the Committee on Foreign Relations. A bill to authorize the negotiation of commercial treaties might go to the Committee on Finance, and the treaties themselves, negotiated under the authority of that law, would certainly go the Committee on Foreign Relations.

Mr. LODGE. I entirely agree with that, but I think the Senator's example strengthens the point I am making. The Dingley Act did convey that authority, but the primary purpose of the Dingley Act was the raising of revenue by the levying of certain duties; and I think that the matter of authorizing the treaties might

have been claimed with a fair show of reason for the Foreign Relations Committee. It would have been perfectly absurd for a committee to have claimed jurisdiction of a bill the primary object of which was entirely different, and to which only a subordinate part could by any pretense be supposed to belong; but after that bill, properly referred to the Finance Committee, became a law, and the committee, there the Finance Committee, was obliged to deal with the question of our foreign relations, which does not strictly come within its province—after it had become a law under their management, the bill providing for which had passed through the Finance Committee and through the Ways and Means Committee of the other House, that treaty went to the Committee on Foreign Relations; and it has always been my belief that was a proper reference; that it ought to have gone there first; but I also felt that, as a matter of judicious legislation, if that treaty had ever been brought for absolute action before the Senate it certainly ought to have been acted on by the Foreign Relations Committee as coming primarily within their jurisdiction, and that it would have been in the interest of wise legislation to have had it referred secondarily to the Committee on Finance for such report as they might see fit to make.

But that, Mr. President, is not the point involved here. This, to my mind, is primarily a bill to carry out and approve a treaty. That treaty was referred to the Committee on Foreign Relations without debate, was dealt with by them, reported by them, and passed by the Senate under the direction and management of the chairman of the committee.

Now comes this bill from the House of Representatives, the purpose of which is solely and primarily to give that treaty life and vitality. It seems to me, as it is carrying out a treaty and intended to approve a treaty, that the natural and proper place for it to go is to the committee which has charge of the foreign relations of the country. I think that the Alaskan case, which I cited purposely, because it involves nothing but a naked appropriation of money, which would ordinarily go, of course, without question, to the Committee on Appropriations, is on all fours as to the matter of reference, and that is that the primary object of that bill for Alaska being to carry out a treaty which the Committee on Foreign Relations had dealt with, therefore the bill followed the treaty to that committee. In the same way, this being to carry out a treaty which has been already dealt with under the control of that committee, I think it should follow the same course.

I am quite aware that it is of no practical consequence to which committee of the Senate the pending bill goes, but it does seem to me that it is following a wise course to avoid conflicts of jurisdiction, and to let it go to that committee. I do not think that it has the slightest bearing on the large constitutional question which has been suggested in the debate. For that reason, Mr. President, it seems to me that the natural reference to the Committee on Foreign Relations, the one which has been established in similar circumstances, is the proper one.

Mr. BAILEY. Will the Senator from Massachusetts permit me to ask him a question?

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

Mr. LODGE. I do.

Mr. BAILEY. I wish to ask the Senator, if it be proper to refer to a matter which has transpired in the other House, is he advised or will he state to the Senate whether this bill in the other House came from the Foreign Affairs Committee or the Committee on Ways and Means?

Mr. LODGE. It came from the Committee on Ways and Means.

Mr. BAILEY. That committee there corresponds to the Committee on Finance here?

Mr. LODGE. Unquestionably.

Mr. BAILEY. The House originating the bill, having treated it as a revenue measure, it occurs to me that the House which is expected to concur in it might likewise treat it as a revenue measure. They have in the other House a Committee on Foreign Relations, the same as we have in the Senate, but I believe they call it there the Committee on Foreign Affairs. I should be pleased to see the bill take the same course in the Senate as it took in the House.

Mr. LODGE. Mr. President, of course the action of the House of Representatives in matters of reference does not govern us. The House is constantly referring bills to certain committees where we send the same bills to different committees. Moreover, the Committee on Foreign Affairs in the House for obvious reasons has no jurisdiction over treaties. They can not have a committee that has any jurisdiction over treaties. We have a committee that has jurisdiction over treaties. Again, Mr. President, the House dealt with the Philippine tariff through its Ways and Means Committee; it dealt, I think, with the Porto Rican tariff through its Ways and Means Committee; it dealt with the Philippine bill through a general Committee on Insular Affairs; and it dealt with some of the Porto Rican measures through its general Committee on Insular Affairs; but when the Philippine tariff bill came over here it went to the Committee on the Philippines, properly, as I think, and the Porto Rican tariff bill followed the same course. In the same way there as to the Committee on Insular Affairs, bills which have been reported by that committee when they come here have been divided, and have gone, some to the Committee on Pacific Islands and Porto Rico and others to the Committee on the Philippines. It is impossible for us to follow the references made by the other House; and it seems to me in this case the only way is to follow our own precedents.

Mr. CULBERSON. Mr. President, I simply desire to correct the Senator from Massachusetts in his statement that the Philippine tariff bill was considered by the House Committee on Ways and Means. On the contrary, it was considered and reported by the House Committee on Insular Affairs.

Mr. LODGE. Oh, no; the Senator is mistaken. The bill affecting the Philippine tariff, a separate bill, came from the Committee on Ways and Means; but the bill for the government of the islands, the big general bill, came from the Committee on Insular Affairs.

Mr. SPOONER. Only a word, Mr. President. This question does not seem to me as important a question as my friend from Texas [Mr. BAILEY] appears to regard it. It is a matter entirely under the rules within the jurisdiction of the Senate. I do not find any rule which defines the class of bills which shall go to one committee or another. The rule contemplates motions to refer bills to committees. Of course, the custom is to refer bills affecting the revenues to the Committee on Finance, appropriation bills to the Appropriations Committee, etc.

There are some reasons for a distinction between a bill of this kind and the Porto Rican bill and the Philippine bill. Here we are dealing with a foreign country, and as to Porto Rico and the Philippines we were not. That question was local. While territory not incorporated into the United States—the Senator understands that—it is certainly territory belonging to the United States and under the jurisdiction of the United States.

I do not, as I am now advised, agree entirely with the Senator from Massachusetts [Mr. LODGE], that all bills which carry into effect reciprocity treaties made with foreign governments should go to the Committee on Foreign Relations, nor do I understand that the act of Congress called the Dingley Act authorizes the President and the Senate to make commercial treaties. The President and the Senate derive their power to enter into treaties from the Constitution. Congress can give them no power which the Constitution does not confer; nor can Congress in the slightest degree restrict or limit the treaty-making power conferred by the Constitution upon the President and the Senate.

My understanding of that legislation has always been this, not that it conferred any treaty-making power upon the President and the Senate, but that it furnished in advance legislative approval of a treaty made within the limits indicated in the act, so as to avoid the necessity of supplementary legislation to carry the commercial treaty into effect. I am a member of both of these committees, and I am frank to say that I was of the opinion that the legislation carrying into effect the reciprocity treaties made under that act, after we amended the treaties so as to provide that they should not take effect as a matter of agreement until they had been approved by the Congress, ought not to be enacted without having passed the scrutiny of the Committee on Finance, because it was contemplated by the act that reciprocity treaties affecting the revenue of the country might as a system be entered into with different countries, and it seemed to be in the interests of the people, as well as in harmony with the custom of the Senate, that such an enlarged scheme of legislation or fiscal change should not be put into operation without being considered by that committee which has peculiar charge of the general fiscal system of the country.

So it would be proper undoubtedly to refer this bill to the Committee on Finance; and it is equally proper, I think, and peculiarly proper, that it should go to the Committee on Foreign Relations, although the reference of this bill to that committee is not probably to be taken as establishing as broad a rule as my friend from Massachusetts contends for.

This legislation, Mr. President, is entitled "A bill," and that is all there is of it except a disclaimer on the part of the House that by approving it it concedes the power of the President and the Senate by treaty or contention alone to change the tariff laws—a proposition which I am very strongly inclined to agree with the House about. It simply approves the treaty. It does not raise the question of prerogative. It does not assert the power of the Senate and the President to change by treaty alone the tariff rates because there was inserted as an amendment to the treaty—as a part of the agreement between this country and Cuba—that it

shall not take effect until it has been approved by Congress. The bill for such approval originated in the House of Representatives, I think, properly, because it does affect, as all such treaties affect, the revenue.

Mr. GORMAN. Will the Senator from Wisconsin permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. SPOONER. Certainly.

Mr. GORMAN. Mr. President, there is of course no question presented as to what committee should consider a treaty when it has been negotiated and is pending in the Senate, but I ask the Senator from Wisconsin if there is a single precedent in the history of the Government where a treaty has been negotiated and ratified and where a bill or resolution to carry that treaty into effect has come back to the Senate, where such treaty affected the revenues of the Government, as this treaty with Cuba does, that its reference was not to the proper committee—the Committee on Finance?

Mr. SPOONER. Mr. President, I am told the precedents are all in line with this motion that the bill should go to the Committee on Foreign Relations.

Mr. GORMAN. Without the consideration of the Committee on Finance?

Mr. SPOONER. Without the consideration of the Committee on Finance. That is my understanding.

Mr. GORMAN. That is not my understanding, but I am speaking simply from recollection.

Mr. CULLOM. If the Senator from Wisconsin will allow me——

Mr. SPOONER. Certainly.

Mr. CULLOM. I took occasion to look up the precedents in connection with this subject, running back to the treaty with Great Britain in relation to Canada, and including the treaty with Hawaii and also that with Mexico, which finally failed of ratification, or, at least, of being proclaimed by the President. The treaty in relation to Canada—if the Senator from Wisconsin will allow me, as I might as well get it into the RECORD now as at any other time—contains the following provision——

Mr. SPOONER. Certainly; I yield to the Senator.

Mr. CULLOM. This is the provision in Article V:

The present treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain and by the provincial parliaments of those of the British North American colonies which are affected by this treaty on the one hand, and by the Congress of the United States on the other.

That was the provision of the treaty which this Government made with Great Britain in reference to Canada, which was proclaimed September 11, 1854. After the ratification of the treaty with that provision in it, Congress took up the question of approving the treaty by the introduction and passage of a bill, and they incorporated into the bill for that purpose a long provision reciting every article and product, I think, that was affected by the treaty.

Mr. HOAR. Will the Senator give me the year in which that treaty was negotiated?

Mr. CULLOM. It was in 1854 that the treaty was made with Great Britain.

Mr. HOAR. That was during the Pierce Administration.

Mr. CULLOM. Yes.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Illinois yield to the Senator from Colorado?

Mr. CULLOM. I do not think I ought to take up the time of the Senator from Wisconsin [Mr. SPOONER] who has the floor.

Mr. TELLER. I merely wish to say that it is difficult to hear the Senator in this part of the Chamber, though it is not his fault, I think.

Mr. SPOONER. The Senator from Illinois [Mr. CULLOM] need not worry about taking up my time. He is consuming my time and the time of the Senate very profitably.

Mr. CULLOM. I do not wish to take anyone off the floor, and am now speaking only with the kindly consent of the Senator from Wisconsin.

Mr. SPOONER. The Senator is perfectly welcome to do so.

Mr. CULLOM. The act passed at that time is published in 10 Statutes at Large, page 587, and is as follows:

Be it enacted, etc., That whenever the President of the United States shall receive satisfactory evidence that the Imperial Parliament of Great Britain and the provincial parliaments of Canada, New Brunswick, Nova Scotia, and Prince Edward Island have passed laws on their part to give full effect to the provisions of the treaty between the United States and Great Britain, signed on the 5th of June last, he is hereby authorized to issue his proclamation declaring that he has such evidence, and thereupon from the date of such proclamation the following articles, being the growth and produce of said provinces of Canada, New Brunswick, Nova Scotia, and Prince Edward Island, to wit: Grain, animals, meats, cotton wool, fruits, fish, poultry, eggs, hides, furs and skins, stone, marble, butter, tallow, lard, horns, ores, coal, pitch, turpentine, lumber, trees, pelts, wool, fish oil, gypsum, flax, hemp tow, unmanufactured tobacco, rags, shall be introduced into the United States free of duty so long as the said treaty shall remain in force, subject, however, to be suspended in relation to the trade with Canada on the conditions mentioned in the fourth article of said treaty, and all the other provisions of the said treaty shall go into effect and be observed on the part of the United States.

And be it further enacted, That whenever the island of Newfoundland shall give its consent to the application of the stipulations and provisions of the said treaty to that province and the legislature thereof, and the Imperial Parliament shall pass the necessary laws for that purpose, the above-enumerated articles shall be admitted free of duty from that province into the United States from and after the date of a proclamation by the President of the United States declaring that he has satisfactory evidence that the said province has consented, in a due and proper manner, to have the provisions of the treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained.

Approved August 5, 1854.

It will be seen that it uses the same language as would be found in a regular tariff bill, and the treaty was approved by Congress by this act.

As stated in the Congressional Globe, volume 28, part 3, page 2109, on August 3, 1854, Mr. Bailey, from the Committee on Foreign Affairs of the House, reported a bill to carry into effect the above-named treaty.

On the same day, August 3, 1854, the bill was passed by the House without opposition and without debate.

On August 4, 1854, a message was sent to the Senate by the House announcing the passage of the bill.

The bill was read twice by its title, was not referred to a committee, but, on motion of Mr. Mason, chairman of the Foreign Relations Committee, the Senate proceeded to consider it; and it was passed without debate. (P. 2212.)

Mr. BAILEY. Was it passed without question?

Mr. CULLOM. It was taken charge of, apparently with the consent of the whole Senate, by the chairman of the Committee on Foreign Relations.

Mr. MORGAN. May I ask the Senator a question?

Mr. CULLOM. Certainly.

Mr. MORGAN. After that treaty was ratified, I will say, or was put in force by the act of Congress, did not the Committee on Ways and Means report a bill to conform the tariff laws to that treaty?

Mr. CULLOM. I have no information of that sort. They may have done so; but the bill passed by the other House, which came to the Senate, was taken possession of, as I say, by the then chairman of the Committee on Foreign Relations, and it went through.

Mr. MORGAN. Congress must have passed a law conforming the tariff or revenue laws of the United States to that act of Congress under the treaty, otherwise there would have been no revenue legislation on the subject.

Mr. CULLOM. The act which they passed conformed the laws to the treaty, just as the treaty was ratified by the Senate.

Mr. SPOONER. Was that referred to the Committee on Foreign Relations?

Mr. CULLOM. That bill was not referred, but was taken possession of here by the then chairman of the Committee on Foreign Relations, and under his lead the bill passed and became a law.

The Hawaiian reciprocity treaty, which was ratified and proclaimed June 3, 1875, provides, in article 5, as follows:

The present convention shall take effect as soon as it shall have been approved and proclaimed by His Majesty the King of the Hawaiian Islands and shall have been ratified and duly proclaimed on the part of the Government of the United States, but not until a law to carry it into operation shall have been passed by the Congress of the United States of America.

Mr. MORGAN. Right there, did not the Congress of the United States uniformly vote to respect that treaty and conform the tariff laws to all of its provisions?

Mr. CULLOM. I will answer the Senator by giving a correct detailed account of what did occur with reference to that treaty with that provision in it.

On January 6, 1876, Mr. Luttrell introduced in the House a bill to carry into effect the above treaty (vol. 4, pt. 1, 44th Cong., p. 300), which bill was referred to the Committee on Ways and Means; from which committee it was, on February 24, 1876, reported favorably. (P. 1420.)

It was discussed at great length by the House; the details of the bill were gone into, and on May 8, 1876, it was passed—115 yeas, 101 nays. (P. 3037, RECORD.)

It was sent to the Senate by the House, and referred to the Committee on Foreign Relations. (P. 3083.)

On June 30, 1876, Chairman Simon Cameron, of the Committee on Foreign Relations, reported the said bill favorably, and immediately Senator Morrill, chairman of the Finance Committee, moved that the bill be referred to the Committee on Finance, as it affected the revenues. This was objected to by Messrs. Cameron and MITCHELL, but the motion prevailed. (P. 4261.)

On the same day, June 30, 1876, Mr. Sargent, of California, moved to reconsider the vote by which the said bill was referred

to the Committee on Finance. The motion was opposed by Senator Morrill, and was supported by Messrs. Windom, Sargent, Hamlin, Frelinghuysen, and MITCHELL.

It appears from the RECORD that on August 11, 1876, Senator Morrill withdrew his opposition to the motion of Senator Sargent to reconsider the vote by which the bill was sent to the Committee on Finance, and, further, Senator Morrill suggested that his Committee on Finance be discharged from the further consideration of the bill; which motion prevailed.

So the bill went back to the Committee on Foreign Relations and remained in control of the Committee on Foreign Relations until it became a law.

Mr. ALDRICH. When did the Committee on Foreign Relations report the bill back?

Mr. CULLOM. I do not remember the date, but on August 14, 1876, the bill was passed in the Senate after considerable debate.

Mr. ALDRICH. Was that the same day on which the bill was referred?

Mr. CULLOM. It was passed August 14, 1876.

Mr. ALDRICH. I think that was on the same day the bill was referred. I think it was the last day of the session, and it was necessary that action should be had immediately on the same day.

Mr. CULLOM. I do not remember whether or not it was the last day of the session. The bill was duly approved. It is found in volume 19, Statutes at Large, page 200, and reads as follows:

Be it enacted, etc., That whenever the President of the United States shall receive satisfactory evidence that the legislature of the Hawaiian Islands has passed laws on their part to give full effect to the provisions of the convention between the United States and His Majesty the King of the Hawaiian Islands, signed on the 30th day of January, 1875, he is hereby authorized to issue this proclamation, declaring that he has such evidence; and thereupon from the date of such proclamation the following articles, being the growth and manufacture or produce of the Hawaiian Islands—to wit, arrowroot oil, bananas, nuts, hides, skins, vegetables, sugar, sirup of sugar cane, molasses, tallow—shall be introduced into the United States, free of duty, so long as the said convention shall remain in force.

That was the proceeding with reference to what might be called a commercial or reciprocity treaty, and it shows that even when there was a controversy in the Senate as to what committee rightfully had jurisdiction of such a measure it was decided, finally, in favor of the Committee on Foreign Relations.

Mr. BAILEY. Will the Senator from Illinois permit me to interrupt him?

Mr. CULLOM. Certainly.

Mr. BAILEY. It was decided exactly to the contrary the only time it was decided by the Senate. Mr. Morrill's motion prevailing and the motion to reconsider being made that day, evidently the Committee on Foreign Relations took up the subject without having it before it. Senator Morrill still asserted that his committee had jurisdiction, by moving to discharge it, and the Committee on Foreign Relations, having completed its consideration of the subject, with which it never had been charged by the Senate, was ready to report, and the Finance Committee was not. It was about the last day of the session, and it was just simply a question as to which committee could report.

Mr. CULLOM. I think the Senator from Texas is a little in the wrong in reference to that. The measure first went to the Committee on Foreign Relations. Then Senator Morrill, being chairman of the Committee on Finance, came into the Senate and made a motion to refer it to his committee. That was done; but when such men as Sargent and Windom and Hamlin and Frelinghuysen came into the Senate and found that that had been done, a motion to reconsider was at once entered by Senator Sargent, and the bill was reported back and referred to the Committee on Foreign Relations.

Mr. BAILEY. Of course the Senator has prepared this memorandum and has it in his hand, and I would not assert my recollection of the transaction as against him, but my recollection was that the motion was to send the bill to the Committee on Foreign Relations, and that the motion was antagonized by Senator Morrill that day. His motion to refer it to the Committee on Finance prevailed, and on the same day a motion to reconsider was entered, and that motion to reconsider remained pending until the day when the whole matter was finally disposed of.

Mr. CULLOM. I do not think there is enough in the technical point which the Senator makes, even if he be correct, to justify a long discussion about it.

Mr. BAILEY. Only except——

Mr. CULLOM. When the Senate learned that there was a real question between the two committees as to which committee should have the bill, it was decided that it should go to the Foreign Relations Committee——

Mr. BAILEY. It never was so decided by the Senate.

Mr. CULLOM. And the other committee was discharged.

Mr. BAILEY. That is the point on which I rose to take issue with the Senator from Illinois.

Mr. CULLOM. I understand the point.

Mr. BAILEY. When the Senate took a vote, it decided that the measure should go to the Senate Committee on Finance. After a motion to reconsider was made, which motion was pending until the last day of the session, the chairman of the Committee on Finance withdrew his objection.

Mr. CULLOM. Mr. President, I do not know whether the statements which the Senator is making are correct according to the record. I take only what the RECORD shows to be the proceeding in reference to the matter, and it certainly shows that finally it was decided that the Foreign Relations Committee was entitled to have charge of the subject.

Here is a little information with reference to the Mexican treaty which I take the liberty of giving to the Senate.

On January 20, 1883, a reciprocity treaty with Mexico was negotiated by General Grant and others, and was duly ratified by the Senate and proclaimed June 2, 1884.

The treaty provided, however, in Article VIII:

The present convention shall take effect as soon as it has been approved and ratified by both contracting parties, according to their respective constitutions, but not until laws necessary to carry it into operation shall have been passed both by the Congress of the United States and the Government of the United Mexican States and regulations provided accordingly, which shall take place within twelve months from the date of the exchange of ratifications to which Article X refers.

A bill to carry this treaty into effect was duly reported by the Committee on Ways and Means of the House similar in form to the bills to carry into effect the Canadian and Hawaiian treaties. This bill was discussed in the House during three sessions of Congress, but was never passed.

All I wish to say further is that my distinguished friend the Senator from Texas [Mr. BAILEY] seemed to make a point of the fact that I made a motion to refer this bill. I am perfectly aware that it is not necessary to make a motion to refer a bill when everybody understands to what committee it ought to go; but I confess that in the beginning I was in doubt whether this bill ought to go to the Committee on Relations with Cuba or the Committee on Foreign Relations or the Committee on Finance. Therefore I looked up the matter as well as I could, and found these precedents, which convinced me that it should go to the Committee on Foreign Relations. I think it is only fair to say that the precedents are in favor of the motion which I have made. Thinking there might be some question about it, and not desiring to have any informality about the matter, I made the motion, so that it might be clearly before the Senate, when, if anybody objected to that reference, the question would be ready for discussion and action.

I did not desire to take any advantage or to indicate that I was in any particular hurry to get the bill through. I want every Senator who desires to have a fair opportunity to discuss it. We shall discuss it in the regular way, without any particular excitement, and come to a vote when it seems proper and right.

Mr. President, I beg pardon of my distinguished friend the Senator from Wisconsin [Mr. SPOONER] for interrupting him in the midst of his speech.

Mr. SPOONER. I am very much obliged to the Senator from Illinois for having incorporated in my observations his very excellent speech.

Only a moment, Mr. President. I shall vote to refer this bill to the Committee on Foreign Relations, but I do not want to be understood by that vote as agreeing that, as a rule, legislation to carry into effect commercial treaties shall be concurred in in the Senate without the scrutiny and action of the Committee on Finance. That may perhaps later be wisely adjusted by rule.

The Senator from Illinois [Mr. CULLOM] has certainly shown that there is no unbroken line of precedents about it, and that such legislation has been acted upon by the Committee on Foreign Relations. In one case it was controverted. The Senate had voted to refer the then pending measure to the Committee on Finance instead of the Committee on Foreign Relations, but when the chairman of the Committee on Finance withdrew his objection it went, by common consent, to the Committee on Foreign Relations.

Mr. President, as to this particular bill, I think I may justly say that the Committee on Finance did not care to press the question, although not willing that it should be foreclosed by the action of the Senate in this case. There are some reasons why it should go to the Committee on Foreign Relations. I think it is generally conceded that this legislation will be enacted, and it is a matter of some consequence that it be done with a fair degree of promptitude; that it be enacted, if it is to pass, as speedily as may be, after fair debate; and I take it, from what I have heard said on the floor here, no one will be contented with any less or will ask any more than that. It is important that it should pass, if it is to pass at all, so as to be in operation in time to include the present sugar crop of Cuba.

Now, the Committee on Foreign Relations considered the whole subject. I know my friend the Senator from Alabama [Mr.

MORGAN] was present almost constantly. We had many sessions. We had a witness before us—General Bliss. We took considerable testimony. We went with the utmost care through every phase of it. The Senator from Illinois reported it, and made a speech upon it. He furnished an abstract of its provisions, with statistical data as to its operation. It is, in another form, precisely the same proposition that we discussed, reported from the Committee on Foreign Relations, and it would take time to invoke the scrutiny of a committee which, as a committee, has had nothing whatever to do with the subject.

I think it is certainly competent and within the rules and sufficiently in harmony with precedents to refer the bill to the Committee on Foreign Relations and let them report it.

Mr. BAILEY. Mr. President, I agree with the Senator from Wisconsin [Mr. SPOONER] that the matter is not of any very great importance in this particular instance. Nor have I treated it as such.

Mr. SPOONER. I did not say so.

Mr. BAILEY. I have suggested to the Senator from Illinois, the chairman of the Committee on Foreign Relations, that he withdraw his motion and let the bill take the usual course which it would take without a motion. So far as concerns a report, favorable or adverse, I think it would be the same whether the bill goes to the Committee on Finance, or the Committee on Relations with Cuba, or the Committee on Foreign Relations.

Before resuming my seat, I desire to suggest, in reply to the Senator from Massachusetts [Mr. LODGE], who described the main purpose of this bill to be a foreign relation, that the main purpose which he states lies behind the bill itself. The "main purpose" may be a foreign relation, but the bill adjusts that foreign relation by the means of taxes, and the taxation must be considered the main question so far as the bill under immediate consideration is concerned, although the purpose that inspired it is one relating to our foreign relations.

Mr. President, I shall detain the Senate but a moment to say that I was so sure the Senator from Illinois, who is always diligent and careful, and generally accurate, was prepared with the proof that this was the usual course that I took the precaution to say that I did not doubt it if he asserted it; but if the research of the Senator from Illinois, well known by the Senate for the pains and care with which he investigates a matter, has not been able to make out a better case than this, I want to withdraw my admission.

The truth of it is the Senator brings certain instances before the Senate. The first one proves nothing, because the Senator who at that time was chairman of the Committee on Foreign Relations simply took charge of the bill, as any other Senator might have done, not with propriety, I grant you, but clearly within the rule, and in that first instance the bill was not referred to any committee at all.

The second instance is that of the bill to carry into effect the Hawaiian treaty. I pause here, by the way, to say that it came from the Committee on Ways and Means in the House. It passed the other House by a vote of something like 115 against 101; and coming to this body was referred, so the notes of the Senator from Illinois declare, to the Committee on Foreign Relations, which reported it, whereupon the Senator from Vermont [Mr. Morrill] so long an honored member of this body, objected to the original reference, and moved that it be referred to the Committee on Finance. And mark you, Mr. President, that motion was made after the bill had been reported by the Committee on Foreign Relations, according to these notes, and thus makes the case vastly stronger. To have declined to refer it to that Committee would have been a decisive vote, but after the Committee on Foreign Relations had actually reported it, for the Senate then to take it from its jurisdiction, over its protest, and refer it to the Committee on Finance, seems to me as conclusive expression of the Senate's opinion on the subject as could possibly have been made. And I now repeat what I said when interrupting the Senator from Illinois [Mr. CULLOM] that the only time the Senate did decide the question it decided it in favor of the Finance Committee.

Mr. LODGE. What followed that, will the Senator from Texas state? The Senate reconsidered that vote.

Mr. BAILEY. I am repeating it from the notes of the Senator from Illinois, upon whose accuracy I always rely. The notes of the Senator from Illinois declare, and I will read from them, so there may be no mistake about it, for I might be inaccurate—

It was sent to the Senate by the House, and referred to the Committee on Foreign Relations.

On June 30, 1876, Chairman Simon Cameron, of the Committee on Foreign Relations, reported the said bill favorably, and immediately Senator Morrill, chairman of Finance, moved that the bill be referred to the Committee on Finance, as it affected the revenues. This was objected to by Messrs. Cameron and Mitchell, but the motion prevailed.

Mr. CULLOM. Now go on and read the rest of it.

Mr. BAILEY. I will say to the Senator from Illinois that I was reading that not so much to contradict him as to sustain myself. I had said, in reply to his statement that the Senate decided it his way, that the only time the Senate ever decided it it decided it in accordance with my contention.

Mr. CULLOM. Now read the balance.

Mr. BAILEY. The Senator's notes say:

On the same day, June 30, 1876, Mr. Sargent of California moved to reconsider the vote by which the said bill was referred to the Committee on Finance. The motion was opposed by Senator Morrill and was supported by Messrs. Windom, Sargent, Hamlin, Frelinghuysen, and MITCHELL.

But so far as the Senator's notes go, it was not decided, and therefore the motion to reconsider, suspending the bill in the middle aisle, as it were, left it there until the 11th of August, when the question seems to have been renewed. According to the Senator's notes—

It appears from the RECORD that on August 11, 1876, Senator Morrill withdrew his opposition to the motion of Senator Sargent to reconsider the vote by which the bill was sent to the Committee on Finance, and, further, Senator Morrill suggested that his Committee on Finance be discharged from the further consideration of the bill.

Now, Mr. President, the Senator from Vermont, while maintaining the consistency of his position, because unless the measure had been in charge of his committee there would have been no sense in a motion to discharge the committee——

Mr. CULLOM. Now, if the Senator will allow me——

Mr. BAILEY. I will cheerfully yield in one moment.

Mr. CULLOM. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Illinois?

Mr. BAILEY. Certainly.

Mr. CULLOM. I ask the Senator whether he does not agree with me now that the whole record in reference to that case shows in effect that Senator Morrill gave up the contest and himself moved to discharge his own committee and let the bill go to the Committee on Foreign Relations?

Mr. BAILEY. That was not the Senator's statement. The Senator said the Senate decided it his way, and I repeat——

Mr. CULLOM. I read the statement.

Mr. BAILEY. And I repeat for the third time the Senate decided it according to my contention.

Now, the history of it is this: The bill being suspended by the motion to reconsider, the Finance Committee did not consider it, but the Committee on Foreign Relations had done so and had reported before it was referred by a vote of the Senate to the Finance Committee.

Mr. SPOONER. Will the Senator from Texas allow me to ask him a question?

Mr. BAILEY. Certainly.

Mr. SPOONER. Is it not a fact that the RECORD shows that the Senate passed the bill without any committee action upon it except that of the Committee on Foreign Relations?

Mr. BAILEY. That is true.

Mr. LODGE. Will the Senator allow me?

Mr. BAILEY. Certainly.

Mr. LODGE. Perhaps it would clear up the matter if he would allow me to read exactly what occurred.

Mr. BAILEY. I yield for that purpose.

Mr. LODGE. The motion to reconsider——

Mr. BAILEY. Will the Senator from Massachusetts give the page of the RECORD from which he is about to quote?

Mr. LODGE. Page 4261. The bill was referred to the Senate Committee on Foreign Relations, was reported back favorably, considered, and referred to the Senate Committee on Finance. The next day, which was June 30, Mr. Sargent, of California, who was absent at the time the vote was taken, moved a reconsideration, and the bill——

Mr. BAILEY. I will say to the Senator from Massachusetts that my statement was that it was on the same day, and that is the statement made in the notes of the Senator from Illinois——

Mr. LODGE. I think it was the day after, according to the RECORD, but that is unimportant. It remained on the table of the Senate, without going to the Committee on Finance, from June 30 until August 11.

Mr. BAILEY. By reason of the pendency of the motion to reconsider?

Mr. LODGE. By reason of the pendency of the motion to reconsider. On that day Mr. Sargent said:

I wish to make a statement in reference to this matter, as to the position of it, and would have interrupted the Chair to do so if it were allowable.

The position of the bill is this: A motion was made, when this bill was reported from the Committee on Foreign Relations, to refer it to the Committee on Finance. I understand that motion will not now be pressed. That motion was made and carried in my absence. When I came into the Senate I found it had been done, and I at once entered a motion to reconsider. The matter which I wish to take up is the motion to reconsider, and have it disposed of, so as to bring the bill before the Senate. Therefore the motion which I want to bring up is my motion to reconsider the vote by which the bill was referred to the Committee on Finance.

Then he went on about the merits of the question, which has

nothing to do here. They had a parliamentary discussion, and Mr. Morrill—and it is the only time he appeared in the debate—said:

I suggest to the Senator from California that he simply move to discharge the Committee on Finance and withdraw his motion to reconsider.

Mr. SARGENT. I am not particular; any way to bring the bill before the Senate.

Mr. MORRILL. It never has been considered by the Committee on Finance, though we have had ample time to do it, because the motion to reconsider had been entered.

Mr. SARGENT. I will put it in that shape.

Mr. MORRILL. I regret very much the committee has not had the bill under consideration, because I think there are some amendments the committee would undoubtedly have reported.

The PRESIDENT pro tempore. Does the Senator from California change his motion?

Mr. SARGENT. I do not see the particular parliamentary point, but I suppose discharging the committee will answer the same purpose, and I will make that motion if the Senator prefers that course.

The PRESIDENT pro tempore. The Senator from California moves that the Committee on Finance be discharged from the further consideration of the Hawaiian treaty bill.

The motion was agreed to.

Then the bill came up, and the same points were made, and Mr. West said:

I rise to a point of order that this having now been reported by a committee to-day, or, rather, the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

The PRESIDENT pro tempore. The Chair sustains the point of order if the bill has been reported to-day.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee. If the Senator from Vermont intended that by his motion, then I ask that the motion be reconsidered whereby the committee was discharged.

Mr. MORRILL. I did not.

The PRESIDENT pro tempore. The Chair understands this is not a report of a committee, but is a discharge of a committee, and the bill is before the Senate. The Chair overrules the point of order, understanding the status of the bill.

Then it went on.

Mr. BAILEY. Mr. President——

Mr. LODGE. In other words, it was referred to the Committee on Foreign Relations.

Mr. BAILEY. It was referred without question.

Mr. LODGE. Yes. Mr. Morrill had that reference changed. Mr. Sargent, who had been absent, came in and entered a motion to reconsider. That kept the bill on the table from the 30th day of June until the 11th day of August. It then came up, and it was distinctly stated by Mr. Sargent that it had never been before any other committee, and it was the report of the Committee on Foreign Relations. That was the exact condition.

Mr. BAILEY. Mr. President, that is not an exactly fair statement of it. The bill was referred to the Committee on Foreign Relations without a question. The reference was not then changed, as would ordinarily be implied by the statement of the Senator.

The Committee on Foreign Relations had reported it, and then, after that report, the question having been raised as to the proper reference of the bill, the Senate by its vote decided that the bill ought to have been sent to the Committee on Finance, and did send it there. The only reason that committee did not consider it was the reason I suggested in the dark. I had not then had the time to examine the records, and I suggested merely in the dark as a certainly sufficient reason, and probably the only one, that the Committee on Finance had not considered it because they had no right to consider it with a motion to reconsider pending. I suggested also that the near approach of the end of the session accounted for the final proceedings. Will the Senator from Massachusetts be good enough to see how near the end of the session that was?

Mr. LODGE. Four days.

Mr. BAILEY. Four days. I apprehended that there was some reason of that kind. It was certain, then, that the bill could not go to the Committee on Finance, be properly considered, reported, and disposed of. They were anxious to dispose of it then, and the chairman of the Committee on Finance, to accommodate the situation—just as almost any Senator in his position would have done—consented that his committee should be discharged.

Mr. CARMACK. Will the Senator from Texas permit me?

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Tennessee?

Mr. BAILEY. Certainly.

Mr. CARMACK. What was the object or the purpose of Mr. Morrill in objecting to the form of the motion of the Senator from California? Was it not for the purpose of showing upon the record that the Finance Committee was entitled to consider the bill?

Mr. LODGE. Senator Morrill, in what I read, expressly disclaimed that.

Mr. BAILEY. It is perfectly plain that if the Senator from Vermont had not intended to insist upon the position which he originally assumed he would not have had the motion put in that way. An easy way to have disposed of it, because this motion to reconsider was pending, was to pass the motion to reconsider in the affirmative, and then the question would have recurred upon the reference, and if the motion then to refer it to the Committee on Finance had been voted down, the bill would have stood before the Senate as originally reported by the Committee on Foreign Relations. It simply took two motions to bring it back; but instead of making those two motions they yielded to Senator Morrill's contention and moved to discharge his committee. I am free to say that with the motion to reconsider pending the Committee on Finance had no charge of the bill, and therefore the motion to discharge it was not the proper one. But the Senator from Vermont evidently intended to insist upon his contention from the beginning, and yielded only as a matter of convenience in view of the near approach of the adjournment of the Senate.

Mr. LODGE. Now, if the Senator will allow me a moment, as he referred to the first motion, Mr. Cameron reported the bill on the 30th of June, 1876.

Mr. CULLOM. From the Committee on Foreign Relations?

Mr. LODGE. From the Committee on Foreign Relations. Mr. Morrill of Vermont said:

As this bill relates entirely to a change of the tariff, I suggest to the chairman of the Committee on Foreign Relations whether it ought not to be submitted to the Committee on Finance.

Then followed Mr. Cameron and Mr. MITCHELL. They thought there was no use in it. Mr. Morrill said:

I had noticed that this bill, in the first place, was referred to the Committee on Foreign Relations. I thought it was an erroneous reference to begin with; but I did not suppose that anybody would object to a change of reference when it should be reported. I thought most likely that committee would report the bill and ask to have it referred to the Committee on Finance. Certainly the Committee on Finance are altogether more familiar with the subject embraced in this bill than the Committee on Foreign Relations, and I do not think it would retard its passage at all, but facilitate it, to have it considered by a committee that will know more accurately whether the provisions are what they ought to be in a bill which if it is to pass would affect our revenue so largely.

* * * * * * *

The PRESIDENT pro tempore. The Senator from Vermont moves the reference of the bill to the Committee on Finance.

The motion was agreed to.

Then Mr. Sargent came in the next day and entered a motion to reconsider.

Mr. BAILEY. The next day or the same day?

Mr. LODGE. The Senator is right; it was the same day. The Senate took a recess, and after the recess Mr. Sargent came in. The Senator from California moved to reconsider the vote which they had just taken, and Mr. Morrill said he thought everybody understood it in the first place. Mr. Windom said:

Would it not answer the purpose of the Senator from California to merely enter the motion to reconsider at this time?

Mr. SARGENT. I suppose I shall have to take that course, owing to the exigency of the business of the country, but I should like to say that I have never known a matter of this kind put through in so quiet and silent a way as that was this morning. I sat in my seat and knew nothing about it at all. Members of the Committee on Foreign Relations who authorized it to be reported knew nothing about it.

Then he goes on—

So far as the change of the tariff law——

Mr. BAILEY. Of course, that statement is obviously incorrect, because the chairman of the Committee——

Mr. LODGE. There was a discussion, but he paid no attention to it. Then they discussed whether it had attracted the attention of the Senate. The debate is a very characteristic one. They went on. Mr. Sargent said:

I submit the motion and will call it up at some other time.

But on that point raised by the Senator from Tennessee [Mr. CARMACK] Mr. Sargent said on August 11, 1876:

I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee.

Mr. BAILEY. He was evidently mistaken about that, because the Senator has just read that the bill was reported the 30th of June.

Mr. CARMACK. And there was a motion to reconsider.

Mr. LODGE. I do not know whether they reported it or called it up.

Mr. ALDRICH. If the Senator will permit me, Mr. Sargent, who made the motion and took charge of the bill, was neither a member of the Committee on Finance nor the Committee on Foreign Relations.

Mr. BAILEY. I understand that.

Mr. ALDRICH. He was simply an outside Senator, from the Pacific coast, greatly interested in——

Mr. BAILEY. In Hawaiian sugar.

Mr. ALDRICH. Yes; and he was not a member of either committee.

Mr. BAILEY. I so understand.

Mr. LODGE. The point the Senator from Tennessee makes is

a very important one, and I think, perhaps, he did not understand just what I read.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876.

That is an obvious error. It was reported June 30.

It has never been before the Finance Committee. If the Senator from Vermont intended that by his motion——

Mr. CARMACK. Intended what?

Mr. LODGE. That it should have been before the Finance Committee.

Mr. CARMACK. Read what went before that.

Mr. LODGE. Mr. West said:

I rise to a point of order that this having now been reported by a committee to-day, or rather the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

Mr. CARMACK. That is what I had reference to.

Mr. LODGE. The President pro tempore said:

The Chair sustains the point of order if the bill has been reported to-day.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee.

Mr. CARMACK. Oh, no.

Mr. LODGE. He refers to the preceding sentence, of course.

Mr. CARMACK. That is a mistake.

Mr. LODGE. Mr. Sargent proceeded:

If the Senator from Vermont intended that by his motion, then I ask that the motion be reconsidered whereby the committee was discharged.

Mr. MORRILL. I did not.

Mr. Morrill had expressed before the debate that his only object was to get it before the Senate in the quickest way, but the fact remains that after all the Senate acted upon it only on the report of the Committee on Foreign Relations.

Mr. BAILEY. That is true, Mr. President. But it is also true, and I come back to repeat for the fourth time, that when the Senate decided the question it decided against the claim of the Foreign Relations Committee and in favor of the Committee on Finance.

Mr. LODGE. It decided it the other way the last time.

Mr. BAILEY. No, the Senate did not decide it, because these gentlemen decided it among themselves by withdrawing their motion. If the Senate decided it at all by discharging the Committee on Finance, then the Senate reaffirmed its action in referring it to the Committee on Finance. Therefore, if that was the decision of the Senate it was a decision in line with the original decision.

Mr. President, I have already occupied much more of the Senate's time on this question than I intended, and I leave it with the suggestion that, in view of what now seems to be a strange and new conversion of some people to the doctrine of reciprocity, it may perhaps come to pass that all of our revenue legislation and all of our tariff duties will be adjusted in this way. The distinguished Senator from Wisconsin [Mr. SPOONER] negatives that suggestion by the shake of his head, and I sincerely hope he is right, and he is generally right upon all questions except where the parties divide.

I sincerely hope that the House is not to abdicate its right to originate revenue bills, and that the revenue legislation of this Government is not hereafter to be committed to the treaty-making power, for the House to follow with a mere ratification without even the poor privilege of amendment. But if that is to be the course, then I suggest that it becomes a matter of the greatest importance that the reference of this bill, and of every other one like it, shall be to the committee whose duty it is to consider and to report all revenue measures.

Mr. BACON obtained the floor.

Mr. CARMACK. Will the Senator from Georgia yield to me just a moment to reply to a suggestion which has been made?

Mr. BACON. With pleasure.

Mr. CARMACK. I will take only a moment.

I think the Senator from Massachusetts [Mr. LODGE] is mistaken in his construction of the remark of Mr. Sargent. Mr. West had raised the point of order:

I rise to a point of order that this having now been reported by a committee to-day, or rather the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

The PRESIDENT pro tempore. The Chair sustains the point of order if the bill has been reported to-day.

What followed had reference solely to that point of order; that is, that its consideration was not in order if a single objection was raised, to which Mr. Sargent replied in substance that that is what Senator Morrill meant to accomplish by his motion. That is what I understand to be the meaning of his statement. If that is what Senator Morrill meant to accomplish by his motion—that is, to get the bill in such a shape that it could not be considered if a single objection was made—then he wished to move to reconsider the motion he had made to discharge the committee. The Chair decided against the point of order on the ground that a motion for the discharge of a committee was not a report from the committee; that they were not the same. That was the whole point. There could have been no reason, as I understand it, for Senator Morrill insisting that that motion should be made, and objecting to the form of the motion made by the Senator from California, except to show upon the record that his committee was entitled to the consideration of the bill. That, I think, is the parliamentary effect of the whole thing.

Mr. President, I simply wish to call attention to one other matter in conclusion. I wish to call attention to two bills in the Journal of the Senate of June 29, 1832. Two bills were brought over from the House. One of them was "An act to carry into effect the convention between the United States and His Majesty the King of the French, concluded at Paris on the 4th of July, 1831," and that bill was referred to the Committee on Finance.

Mr. BACON. Mr. President, I have a very high appreciation of the functions of the Foreign Relations Committee, and as one of its members I am very jealous of its proper prerogatives. Ordinarily I should in a case of difference with the distinguished chairman of that committee remain silent. I am, however, constrained now to depart from that course because I do not think that this is a matter of slight importance, as suggested by, I believe, the Senator from Wisconsin [Mr. SPOONER]. If this were an isolated case, if there were to be no other proposed changes in the tariff by reciprocity treaties, it might in this case be unimportant in view of the fact that the question involved in this bill has been considered by the Senate, and having been passed substantially in the House in accordance with the views which have been approved by the Senate in ratifying the treaty, there is every reason to believe that the Senate will simply enact into law the bill as it came from the House. In that view it might be unimportant if this were all.

But the suggestion made by the Senator from Texas [Mr. BAILEY] in the conclusion of his remarks to my mind presents what is the important feature in this question, and that is that it is not an isolated matter, that it is one which in dealing with future reciprocity measures will relate largely to the future action of Congress. As stated by him, the reciprocity practice is one which is advocated for adoption in the future by a very influential part of those having control of public affairs. It is a fact that we have had in the Senate a number of treaties with other commercial nations looking to the change of the tariff laws which shall exist in this country as to products coming from other countries, and as to reciprocal changes which shall be made in their tariff laws by those countries.

Now, if the rule is good in one instance it is good in all. If a reference of this bill to the Foreign Relations Committee is correct, then a reference of all other bills which are proposed for the purpose of carrying out any other reciprocity treaty is also correct in each instance. Reciprocity is now advocated as the favorite method by which we shall hereafter have changes made in the tariff laws in this country; that such changes shall be through means of reciprocal arrangements. So if this method is pursued in a general way, we are to have a reciprocal treaty with France, another one with Germany, another one with Austria, another one with Russia, and we would also have one, I presume, with Great Britain if she were in a position to grant any reciprocal concessions.

Mr. TELLER. If Mr. Chamberlain wins.

Mr. BACON. As suggested by the distinguished Senator from Colorado, if Mr. Chamberlain wins in his new propaganda Great Britain can be included in the general scheme of reciprocity.

Now, that is the theory, Mr. President; that is the proposition, and if it is carried out those are the countries with which we shall have relations which most materially affect our tariff laws. They are the countries from which come the products upon which we levy tariffs and from which tariffs we mainly derive revenue. If that proposition, that theory, shall be prosecuted to a successful accomplishment, we shall have our tariff laws determined, not by the general tariff law, but by reciprocal arrangements carried into effect, if you please, by acts of Congress, and the controlling tariff regulations of our laws will be those which shall be prescribed by such acts of Congress and not by the general tariff law. The effect of it will be to relegate the committee of which the distinguished Senator from Rhode Island is the honored chairman into a condition of "innocuous desuetude."

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

Mr. BACON. Certainly.

Mr. ALDRICH. Does the Senator think there is immediate danger of general changes in the tariff by reciprocity treaties? Has he seen any indication in this body that there will be a general approval of the character of treaties which he is supposed to be in favor of? I remember several instances in which treaties were reported to the Senate by the Committee on Foreign

Relations, of which he is a member, and I think with his approval, which failed to receive the approval of this body; and I see no indication whatever outside of the legislation which is now before the Senate that there is to be any general policy in the way of adopting reciprocity treaties.

Mr. BACON. I am not as familiar with the Republican literature as I probably ought to be, but if I recollect correctly tariff reciprocity is most distinctly avowed as the policy of the Republican party. I suppose no one will doubt the loyalty of the distinguished Senator from Rhode Island to his party or to its tenets. I can not, in this instance, construe the inquiry of the Senator from Rhode Island, however, into anything except a disloyalty in this particular instance to that which is avowed, not only in the platform of his party, but which has been avowed for years past by its most distinguished leaders. A fact which we find mentioned most frequently is that the last utterance of the distinguished President, the lamented McKinley, was one in favor of the policy which the honorable Senator from Rhode Island now says there is no indication his party will carry out.

Mr. ALDRICH. I was simply answering the suggestion of the Senator from Georgia, who seemed to fear that our whole tariff policy was in danger of disintegration or destruction by reason of reciprocity treaties to be precipitated upon the country in the near future.

Mr. BACON. Does the Senator say that I said it?

Mr. ALDRICH. The Senator was apparently suffering a fear of that kind.

Mr. BACON. Mr. President, I am not in fear of the disintegration of the tariff law. I am not in favor of the destruction of the tariff law, but I would be very glad to see it modified so far as to effect a proper reduction of it to a point where it shall cease to be oppressive to the people of this country. I can not now go into a general discussion of these points, and I do not propose to be diverted in that direction.

I am coming back, Mr. President, to the point upon which I was addressing myself to the Senate when interrupted by the Senator from Rhode Island, and that is that this is not an isolated proceeding; that it has been preceded by a number of reciprocity treaties which have been sent to the Senate, and some of which are now pending, unless they have expired. I have forgotten whether all of them have expired by limitation. I do not now recall accurately. But, Mr. President, there is no reason why we should act upon the theory that such a thing is an impossibility when it is the favorite tenet of the dominant party, and when reciprocity treaty after reciprocity treaty has been sent here by the Executive. The Senator from Rhode Island asks me whether or not there has been any danger of the ratification of any of them. If they had ever been permitted to come to a vote some of them, I think, would have been ratified, and some very important ones, some to which the Senator from Rhode Island was opposed, if I correctly understood him.

But, Mr. President, we must proceed in the consideration of this question upon a general theory and a general recognition, rather than limiting our consideration to this isolated case. I was saying at the time of the interruption that if this is to be adopted as the rule, and if the policy of the dominant party is to be made effectual, if the utterances of its leaders from the time of Mr. Blaine to the present day are to be realized by being made effectual in the work of Congress, if reciprocity treaties requiring Congressional enactment are to be made first with one country and then with another, including all the countries from which we draw the products upon which most of our tariff legislation takes effect, the undoubted, necessary result must be that the Foreign Relations Committee will be the Finance Committee of the Senate, and not the committee over which the distinguished Senator from Rhode Island presides.

Now, one other thought, Mr. President. When this legislation has been enacted, what is it which will give it effect? What is it which will make it the law of this land? Will it be the treaty or will it be the act of Congress? Undoubtedly, I say, it will be the act of Congress and not the treaty.

The provision in the treaty which requires this legislation may in the language which is used be misleading in the consideration of that question when it says that "This convention shall not take effect until the same shall have been approved by the Congress." I very frankly confess that the language is not felicitously chosen. I offered that as an amendment to the treaty. It was not a part of the treaty as originally negotiated by the President and sent to the Senate. I am the author of it so far as this treaty was concerned, and I wish to say now that I used that language not because I thought it was the best language for the purpose, but because the Foreign Relations Committee had previously used the same language as to other reciprocity treaties, and I did not wish that there should be any issue raised by its opponents as to phraseology.

The idea that Congress can approve a treaty is utterly fallacious. Congress has no such prerogative and can perform no such office. The proper language would have been that "this convention shall not be of binding force until made effectual by act of Congress, which shall enact a tariff law in accordance therewith." That is what the language should have been, and that is the language I would have adopted if left to my own choice. The amendment had been opposed by the majority in the Fifty-seventh Congress, and I expected the same opposition in the executive session of the Senate in the Fifty-eighth Congress; and, desiring that there should be no difference as to phraseology, to avoid an issue on that point, I yielded to the superior wisdom of the committee in the language which it had adopted and ingrafted in a similar provision on other previous reciprocity treaties.

Now then, Mr. President, what office does the treaty perform in this transaction? It is to my mind nothing more than an agreement on the part of the United States Government that there shall be a reciprocal arrangement as to tariff, provided Congress enacts a law changing the tariff law of the United States in accordance therewith. And it must be that, because the only constitutional power to enact a law which shall make or change the tariff law in this country, in my opinion, is the Congress. The Constitution of the United States expressly confers it upon Congress and limits it to Congress. Therefore, in my opinion, there could be no change of tariff simply by a treaty. The general power to the President and the Senate to make treaties must yield in construction to the specific exclusive power vested in the Congress to make a tariff law.

Nor does the treaty lend any force or give any strength to the act of Congress. It has no more relation to the act of Congress, so far as to strengthen it, to give it any force and effect, than would a message from the President of the United States to Congress recommending the enactment of such a law.

Therefore, this legislation, when it has been accomplished, will be legislation by act of Congress. It will be a law made by act of Congress, and not a law made by treaty. If so, it stands in regard to its relations with either House exactly as any other act of Congress which modifies or changes the tariff regulations of the country. If that is the case, it seems to me to be most distinctly one where the general rule of reference should be followed, and where the bill which comes from the House should go to the Finance Committee and not to the Foreign Relations Committee. Mr. President, I am utterly surprised at the position taken by the chairman of the Finance Committee, and I can only attribute it——

Mr. ALDRICH. I have not taken any position yet, but I may have something to say upon the question which the Senator is now discussing.

Mr. BACON. I do not know what position the Senator will take in regard to the matter, but I supposed from utterances which I heard from him on other occasions that he was very firmly of the opinion that all such legislation must go to his committee.

Mr. President, I do not desire to detain the Senate, and I wished only to call attention to two features which struck me as being controlling in this case. One is that if it is good in this case it must be good in all, and that if carried to its greatest and legitimate extent it can only result in the utter taking away of financial legislation from the Finance Committee and giving it to the Foreign Relations Committee. The other is that this is a revenue law, not different from any other revenue law and not in any manner affected by the fact that it has been suggested by a treaty.

Mr. TELLER. Mr. President, I do not suppose that this is a very practical question when applied to this particular case, for, as has been already said, I presume the report will be the same, whatever committee the bill goes to. I suppose, further, it is absolutely in the control of the Senate to send it to the Committee on Foreign Relations if it sees fit. It has been the usual custom for a great many years, I think, to send this class of cases to the Committee on Finance. If, however, the Senate concludes that it does not want to send the bill there, either for special reasons or general reasons, either because it intends hereafter to cut down or destroy the functions of the Committee on Finance or for any other reasons, it can send it to the Committee on Foreign Relations. I have no doubt about the power to send it to the Committee on Education and Labor, if the Senate wanted to send it there.

Committees are formed for the proper consideration of the bills that come before the body. There is no rule of the Senate that fixes the jurisdiction of any committee, nor has there ever been that I can find. For many years, in the early history of the country, when a bill came in the presiding officer appointed a special committee. I believe that practice was continued until 1816. There have been special directions by the Senate as to the jurisdiction of committees. I believe that the order creating the Committee on the Philippines has some special provision in it. But when the Senate creates a committee, the Senate itself has never, as I

understand, undertaken to define what its jurisdiction shall be, but usually by its name indicates the purpose for which it was formed.

As I was saying, up to 1816 the rule was that the Chair named a committee consisting of from three to five members. In 1816 some of the committees that are now called standing committees were organized, and from time to time other committees have been added. Up to 1867 the functions now discharged by the Committee on Appropriations were discharged by the Committee on Finance, in addition to the duties now discharged by it. At that time the Committee on Appropriations was created. Within the last few years the Senate determined that some of the matters which had been going to the Committee on Appropriations should go to other committees—for instance, appropriations for agriculture, to the Committee on Agriculture; appropriations for the Army, to the Committee on Military Affairs, and appropriations for the Navy, to the Committee on Naval Affairs. For years after I became a member of the Senate all those matters had been going to the Committee on Appropriations.

I do not know whether it is really the intention to transfer from the Finance Committee subjects which have gone there for probably eighty years or more to the Committee on Foreign Relations or whether this is only to be an exceptional case. It seems to me it would be better to send this bill to the Committee on Finance for the reason that we have been sending such measures to that committee heretofore, and it would be better to have it understood that a certain class of subjects go to certain committees and certain other subjects to certain other committees. I do not believe we can do business in the Senate, as we have been for many years doing it, harmoniously and expeditiously unless we adopt such a rule.

When a certain committee concludes they would like to have a bill which has formerly gone to another committee, and the chairman or some other member of the committee gets up and makes a motion that the bill be referred to that committee, the result will be that discussions will be precipitated, which will last for a considerable time, over such questions, and that whenever you come to dispose of the reference of a bill the chances are that you will waste time in determining to what committee it shall be referred; but if you follow the usual methods, so that the Chair, without any motion, will refer the bill to the appropriate committee, that will be the end of the business for that day. That is the orderly, decent, and peaceable way to do business, and that is the way we have been doing business here, and that is the way the matter ought to be settled in this instance.

I have not looked up the precedents, but I have heard what has been said in reference to what are called the precedents by the chairman of the Committee on Foreign Relations, and they did not strike me as being precedents which ought to control. But this is not a question of precedent. Suppose such action has been taken in the past, you do not necessarily have to take such action now; and even if it has never been done in the past, if you take a notion that you want to change the usual method you can do so.

The Senator from Tennessee [Mr. CARMACK] showed here that in 1832 a treaty with France of the same general character as the one dealt with by the pending bill went to the Committee on Finance. I have not investigated to see what became of it, but there were some good parliamentarians and some good lawyers then in the Senate, and I do not suppose they would have sent that bill to a committee on the theory that the committee had such jurisdiction or that they were compelled to send it there. They sent it there because at that time it was the orderly method of referring such bills and the orderly method of disposing of them by sending them to that committee, and such bills have been going there practically ever since. Even if the Senator does show there have been some exceptions to that rule, and this will make another exception, will it destroy the jurisdiction of that committee; and when the next reciprocity treaty of the same kind comes here will the presiding officer of the Senate, whether it be the present or some other, feel in duty bound, because of this precedent, to send the bill to the Committee on Foreign Relations?

The Committee on Foreign Relations is not the proper committee to deal with a question touching the revenues nor touching the expenditures of the Government. It was not formed for such purposes; it never has had that business submitted to it, except it may be in some isolated case.

Mr. President, I merely want to say a word or two about this bill. I think the whole proceeding is a violation of the law and the Constitution; that it is abnormal and unprecedented, or, at least, that if there are any precedents for the proposed action they are very few and ought not to bind us or anybody else.

I am against this bill, Mr. President. I am against it because I think it is the entering wedge to a system that I know will not be a valuable system. I am opposed to it because it inflicts upon the people of my section of the country a great hardship, and I would be unworthy to stand on this floor as their representative or the representative of the State in which they live if I did not protest against it, and protest so far as is consistent with my relations to this body as a legislative body.

Mr. President, I have seen it stated in the newspapers that I have said that this bill should not pass. I have never said any such thing. I know that this bill is to pass. I know that there are influences brought to bear here which will secure the passage of this bill without reference to its merits; but it is not one of those things which will justify me or any other man in standing here day after day, as I can conceive many cases in which I would, to prevent its passage. It is not a question of jeopardizing the liberty or rights of the people of the United States, as they might be jeopardized by some bills, but it is a question whether the people of this country shall submit to the domination first of a great financial power called the sugar trust, that is to be benefited by this bill, assisted here by the force of the executive department of this Government, to the injury and to the harm of the people whom I attempt here to represent.

I will not submit without protest, Mr. President. I have been in this Chamber many years. I have changed my seat in this Chamber, but not my principles. I formerly sat on the other side of the Chamber, and I now sit on this side. I sit here because I do not believe that the other side represents the principles it represented when I left the Democratic party and went into the Republican party; it does not, I think, represent the principles it represented twenty years ago, when I sat on the other side of the Chamber; and if I am not in full and entire accord with every proposition made by my associates on this side, I am infinitely more in accord with them than I am with those sitting over there on the great questions that divide our people into political parties.

Mr. President, I am not a free trader; I am not an extreme tariff man, and never was, as the speeches I made in this Chamber years ago will show, when I entered my protest, sitting on the other side of the Chamber, against the McKinley bill as an unreasonable tariff bill and not consistent with the declarations of the party to which I then belonged as they were declared in its early history and so late as when I came into the Senate.

I have said this, Mr. President, that all may know I have some interest in this matter; and yet I want to say here now that I do not propose, by any unreasonable obstruction, to hinder the execution of the will of the President or the will of this body as I believe it will be registered whenever a vote on this bill shall be taken.

I noticed what the Senator from Georgia [Mr. BACON] said about the new method of dealing with the tariff. I understand he referred to the new Republican method by reciprocity treaties. Why was this treaty made? I understand it was made because there could not be passed through Congress a legislative bill such as was desired, and the executive department had power to make a treaty under the Constitution, and it was claimed the executive department and the Senate, acting together, could make a treaty reducing the revenue or increasing the revenue, as they might see fit. The distinguished Senator from Wisconsin [Mr. SPOONER] indicates that he is not in accord with that view. I am not surprised at that, Mr. President, for he is a good lawyer, a constitutional lawyer, and I do not believe that any constitutional lawyer will say that may be done without the action of Congress. I do not believe constitutional lawyers will give encouragement to the idea that the Executive and this body alone can determine what shall be the revenue system of this Government; that they have the power to determine what the tariff duties shall be on the different articles imported into this country without the consent of Congress.

Mr. President, I myself believe in reciprocity treaties properly secured. I do not believe that the Executive and this body have the power to initiate a treaty either increasing or decreasing the tariff without first having the approval of Congress; and that was the idea when the Dingley bill was passed. The provision put in that bill was for the making of reciprocal treaties, and it specifically enumerated the articles which were to be admitted and the reduction of duties upon them. Under the law I believe some eighteen or twenty treaties were made. I do not at this instant recall that a single one of them ever reached this body or the other. I do not recall that any one of them came from the committee to which it was referred; and, so far as I recollect, all of them were smothered in the Committee on Finance.

Mr. CULLOM. If the Senator will excuse me, they did not go to the Committee on Finance, but were referred to the Committee on Foreign Relations, which reported them back to the Senate.

Mr. TELLER. I take back that statement. I meant the Committee on Foreign Relations.

Mr. CULLOM. Those treaties were all reported from that committee to the Senate.

Mr. TELLER. Were they reported?

Mr. CULLOM. All of them were reported.

Mr. SPOONER. Yes.

Mr. TELLER. If they were reported, not one of them was ever

taken up and not one of them was ever voted upon. I am free to say that, after I read the most of them, I should have voted against them if I had had the opportunity, and I suppose some other Senators would have voted for them who are perhaps occupying practically the same political relation that I am. But I do not believe the majority of those treaties were wisely drawn, although they were drawn within the law. I believe the reductions—I do not now know—but I think the proposed reductions amounted to about 8 per cent. They were within the limits of the Dingley law.

As the Senator from Georgia has said, there was every reason to suppose that this system was to be carried out. The President of the United States might to-morrow make a treaty with France and the Senate might ratify it, and it would thus become a law. That is what was claimed for this treaty by Senators on the other side of the Chamber when it was before the Senate. But in my judgment it would never have passed if it had not been for the amendment which provided that its provisions should be approved by act of Congress, which might theoretically and technically bring it within the province of the Constitution, though I do not believe it would.

It may be said that no harm will come if we allow the President to make these treaties and submit them to the Senate, and after the Senate has expressed its satisfaction, then to do what has been attempted here—secure the consent of the House of Representatives to legislation to carry such treaties into effect and give our approval to the action of the House. Whenever you enter upon that system—and I do not care who is the Executive nor to what political party he is attached—I know the power of the Executive to practically secure the approval in ninety cases out of a hundred of a treaty which he has negotiated.

With reference to this particular measure, I have heard men say, ad nauseam, "I do not approve of this bill, but I think we ought to enact it into law because the Republican President wants it done and a Republican Senate has said it ought to be done by ratifying the treaty." When you have a Democratic President, with his hundred millions of patronage and with more than mere money patronage, with the power to take a man from the lowest walks of life and put him into one of the highest positions in the nation, you will have the same demand: "A Democratic President has negotiated this treaty; a Democratic Senate has ratified it and declared that we ought to approve it, and therefore we are going to vote in line with two-thirds power of our party—the Executive and the Senate."

Mr. President, the theory upon which the fathers founded this Government was that the people were the source of power, not the Executive, not even this body, and when it came to questions of finance and questions of taxation, they said the people shall determine whether it is a proper thing to do to put burdens upon the people or remove them; and, therefore, revenue questions shall always be left to the House of Representatives in the first instance. In the Senate amendments may be made to revenue measures; but, in my judgment, the Senate can not originate any bill touching or changing the revenue system, although it may, under that special provision of the Constitution, amend such a bill, and in that way perform a function that belongs and ought to belong to this body in its legislative capacity.

When we act on a treaty we do not act in our legislative capacity; we act in a special capacity conferred upon us by the Constitution, and we recognize that fact when we close the doors of the Senate Chamber and decline to give to the public the reasons which impel us to ratify or reject a treaty.

For myself I am in favor of a reduction of the existing tariff, and I have been in favor of such reduction ever since the Dingley bill became a law. I did not vote for that bill; and I was in favor of reducing the tariff on many articles that were included in the McKinley bill, and, as I said, the RECORD will show that I so declared. But if the Republican party propose to reduce the tariff—they say they do not now intend to do so, but may on some future occasion—we have just as much right to amend the bill under discussion as we have to amend any bill that ever came from the House of Representatives to this Chamber.

I know, Mr. President, that there will be no change made in the bill as it came from the House. Whatever may be thought about it, I know that the bill will be passed through this body without the dotting of an "i" or the crossing of a "t." I doubt, in fact I know, that if I could show in the bill an error of grammar or anything of that kind I could not secure even an amendment to correct such a mistake, because the bill then would have to be returned to the House, and the determination of the party in power is that, having secured the passage of the bill by the House, they will not allow it to go back there again.

I do not know where this bill ought to go. It seems to me the proper place for it is probably the Committee on Finance, but I do not care whether it goes to that committee or not, for the result will be the same whether it is sent to the Committee on Finance, or to the Committee on Foreign Relations, or the Committee on the Judiciary, or to the Committee on Privileges and Elections. There is a provision in the bill which raises a great legal question, and perhaps it ought to go to the Committee on the Judiciary. Let me call this provision to the attention of the lawyers of this body:

> That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress originating in said House.

Mr. President, I believe that to be the law, but I suppose from the speeches which I heard when the treaty was before the Senate that there are sitting on the other side, and possibly on this side, Senators who do not believe that is the law. We might take the opinion of the Committee on the Judiciary as to that question. We might find out whether that is the consensus of opinion, and it would not be a bad thing to do to say to the executive department of the Government in that way, "If you want to make a treaty in which France or Spain or Germany shall be given exceptional privileges with reference to the tariff, go to the source of all power, the House of Representatives, the people themselves, who do not represent States, but represent the great mass of the American voters; go to that body which every two years returns to its constituency and asks approval for what has been done and promises what will be done if they are returned—go there and get their approval, and if you secure the approval of that body and of this, then you can go to work and make a treaty."

I have never voted for any of these treaties and I never intend to vote for any of them that do not recognize that principle, not so much for fear of a tariff that is not acceptable to me, but because I am one of those who believe that you can depart little by little from the principles of this Government until you get so far from them that nobody will recognize that which we recognized in our earlier days as the Government of the United States.

So, Mr. President, the only interest I have in this question is that I believe the ordinary, decent methods of doing business in this body require the bill to go to the Committee on Finance. I know that the chairman of the Committee on Finance does not seek it. There was a question raised when we first came here as to whether we could originate in this body a bill for the purpose of approving the treaty with Cuba. I do not think I shall exceed the proprieties of the occasion if I say that I believe every member of the Committee on Finance was opposed to that theory. We believed that the House, and the House alone, had the right to originate this legislation; that the Senate could not originate it; and there is no disposition on the part of the Committee on Finance, so far as I know, to arrogate to itself any powers that are not given to it.

I think it would have been well for the chairman of the Finance Committee to have insisted that his committee was entitled to consider the measure, but I know what a delicate matter it is to raise a question of that kind. I know that the chairman of that committee does not like to raise such a question against the chairman of the Committee on Foreign Relations.

I have full and entire faith in the Committee on Foreign Relations, and if that committee is to have jurisdiction of such bills as the one under discussion let us so declare by rule, so that when the numerous matters of this class come to us we shall not have to debate every day as to which committee is entitled to consider them, but we shall know where they belong.

Mr. ALDRICH. Mr. President, I fully agree with the general contention of the Senator from Texas [Mr. BAILEY] and the Senator from Colorado [Mr. TELLER], that bills affecting the revenue, or which propose changes in tariff rates, should be referred to the committee charged by the Senate with the responsibility of considering legislation of this character. There have been modifications by general consent of this proper rule. When the Committees on Relations with Cuba, the Philippine Islands, and the Pacific Islands and Porto Rico were constituted there was an understanding that all questions pertaining to the respective islands and countries, whether they were questions affecting the revenue or the currency, should be referred to those committees and not to the Committee on Finance.

Mr. TELLER. Affecting conditions in the islands, but not the conditions here.

Mr. ALDRICH. Well, affecting all revenue and all currency questions pertaining to the islands.

Mr. TELLER. I think the chairman of the Committee on Finance goes a great deal further than he understood me to go. I understood that if a bill before this body affected the duties on imports into this so-called province of ours, the Philippines, it would go to one of the committees constituted for the purpose of dealing with questions relating to those islands.

Mr. BAILEY. If it related to imports.

Mr. TELLER. Measures affecting imports into the Philippines, providing for duties on goods we send there, would go to the Committee on the Philippines. We put a tariff on goods

imported into the Philippine Islands. We said, "Everything that goes into the Philippines must pay a duty." As I understood, such matters as that would be left to the Committee on the Philippines, but bills relating to the duty on goods imported into the United States from the Philippines would go to the Committee on Finance. There was a bill reported from that committee, or an amendment or something in the House bill, I believe, that would indicate that the committee claimed what the Senator now does.

Mr. ALDRICH. The practice under the understanding, as the Senator will remember, has not been as stated; for instance, in the case of the Cuban reciprocity legislation, so called, the bill which came to the Senate in the last Congress from the House of Representatives was sent without objection to the Committee on Relations with Cuba. All bills affecting the revenue or the currency of the Philippines were referred to the Committee on the Philippines, and all bills pertaining to the currency and to the tariff rates to Porto Rico or from Porto Rico to this country were sent to the Committee on Pacific Islands and Porto Rico. I say, then, to that extent—wisely or unwisely—the Senate by unanimous consent has modified what I think is a very proper rule.

Now, with reference to the particular question under consideration, the treaty which we are now seeking to make operative was referred to the Committee on Foreign Relations without a question being raised, and it was reported from that committee. This is a bill to make this treaty, which was ratified by the Senate, operative. It is a very narrow proposition. I shall vote to send this bill to the Committee on Foreign Relations, and in so voting I do not intend to assent to the proposition that that committee have a right to consider or ought to be charged with the duty of considering revenue legislation. I believe that legislation of that kind ought to go to the Committee on Finance. I have examined the precedents to which the Senator from Illinois [Mr. CULLOM] has called attention—and whatever value should be given to them I will not now undertake to say—but taking these into consideration and the further fact that this is simply legislation to make a treaty operative, I shall vote to refer this bill to the Committee on Foreign Relations, but I do not want it understood as establishing a precedent to govern future action.

Mr. TELLER. May I ask the Senator a question?

Mr. ALDRICH. Certainly.

Mr. TELLER. Does the Senator believe that it is such a tariff bill that it could be amended so as to provide that the revenue should be reduced 1 per cent or 60 per cent?

Mr. ALDRICH. I do not. I know that the Senate can amend this bill in any way that a majority of the Senate can be induced to vote.

Mr. TELLER. Of course.

Mr. ALDRICH. I am not raising that question, and I am not undertaking to dispose of it. It will be disposed of in due time. I do not think that this is such a revenue bill as can be changed and amended along the lines the Senator from Colorado suggested. I do know perfectly well that Senators can, and I have no doubt will, offer all kinds of amendments. I hope most sincerely that none of them will be adopted. I hope the Senator from Colorado is correct in his prognostication that the bill will pass this body without the dotting of an "i" or the crossing of a "t."

Mr. BAILEY. Will the Senator from Rhode Island allow me?

Mr. ALDRICH. Certainly.

Mr. BAILEY. Did I understand the Senator from Rhode Island to say that this is not a bill which it is within the lawful power of the Senate to amend?

Mr. ALDRICH. I did not say quite that. I said that we can not undertake to amend the treaty through amendments to this legislation.

Mr. BAILEY. I ask more for the purpose of fixing the position of those who voted for it in another body rather than those who shall vote for it in this. If the Senate can not amend this bill because it is practically a treaty implies that the House could not consider it, as to say that would establish the right of the House to ratify a treaty.

Mr. ALDRICH. Does the Senator from Texas think that by legislation at this stage we can amend the treaty which has been entered into between two powers?

Mr. BAILEY. Yes; because a treaty would be superseded by subsequent legislation. You could absolutely repeal it.

Mr. ALDRICH. Oh, yes; in that way. Can you amend the terms of the treaty?

Mr. BAILEY. Any law of Congress in conflict with the treaty would be a repeal of the treaty pro tanto.

Mr. ALDRICH. Yes, pro tanto.

Mr. BAILEY. But I agree with the Senator from Rhode Island that in good faith, when Congress is trying to carry out a treaty, the law ought to follow the lines of the treaty.

Mr. ALDRICH. That is all I am contending for.

Mr. BAILEY. I agree with the Senator. As a Member of the House—Mr. President, I doubt if it is exactly the proper thing for me to discuss what transpired in the other House. I shall abstain from it until I come to speak at length upon the bill. But I will be permitted to say that if I were a Member of the House I would have felt just as the Senator from Rhode Island feels and as I feel, that this was not the origination of a revenue bill at all, but that it was simply a command to ratify the treaty as it stood.

Mr. ALDRICH. That the Senate can amend the bill as it comes from the House of Representatives I have no question whatever, provided there are sufficient votes obtainable.

Mr. CARMACK. What is the title of the bill, I will ask the Senator?

Mr. ALDRICH. I do not know.

Mr. SPOONER. It is a bill to carry out the provisions of the treaty.

Mr. ALDRICH. I know the purpose of it, or I think I do.

Mr. SPOONER. It is "A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902."

Mr. CARMACK. Could we amend a bill of that sort? According to that title, could we treat it as a general revenue bill and amend it accordingly?

Mr. ALDRICH. From my standpoint you could not.

Mr. CULLOM. It would kill the treaty.

Mr. ALDRICH. You could kill the treaty by this indirect method, yes.

Mr. SPOONER. It would be a strange way to carry out the treaty—to kill it.

Mr. ALDRICH. Yes.

Mr. CARMACK. What I mean is this: The pending bill is to carry out a treaty. That is the title of it. Can you amend it at all, because if you do amend it at all you do not carry out the treaty?

Mr. ALDRICH. You can not properly amend it, but the reason you should not amend it is not because the title reads one way or the other, I suggest to the Senator from Tennessee, but because good faith requires us to carry out the treaty stipulations. I do not think there is any technical reason why we are unable to amend it.

Mr. CARMACK. I am not very familiar with the rules, but the question with me is whether it would be in order, on a bill of this sort, which is to carry out a treaty, to offer an amendment to it which would destroy the treaty?

Mr. ALDRICH. That would be a question of propriety for each Member to decide for himself.

Mr. CARMACK. Under the rules would it be permissible? I ask for information, because I do not know a thing on earth about the rules.

Mr. ALDRICH. If I were in the chair when an amendment was offered, I should say technically it was in order.

Mr. CARMACK. Would it be germane to the bill?

Mr. ALDRICH. That is a question for the presiding officer and then for the Senate to decide. I do not think it would be.

Mr. CARMACK. I am asking for information.

Mr. ALDRICH. Not in my opinion.

Mr. CARMACK. No amendment would be in order?

Mr. ALDRICH. I think an amendment of that kind would be a manifest impropriety. The good faith of the Government of the United States is pledged to make the treaty operative precisely in the form in which it was ratified.

Mr. CARMACK. Would it be in order, is the question I asked.

Mr. ALDRICH. I should hate to see any Senator offer an amendment of that kind. But I agree that the Senator from Tennessee may have a very different idea about his duty and about what ought to be done in this matter than I have, and I am not speaking for the Senator from Tennessee.

Mr. CARMACK. The question I was asking is this, with the indulgence of the Senator from Rhode Island. I know the Senator is familiar with the rules, and the point I was trying to get at is whether or not it would be in order under the rules.

Mr. ALDRICH. I am not here——

Mr. CARMACK. The Senator knows a great deal about the rules, and I do not know. On a bill which is entitled "A bill to carry out the provisions of a treaty" would any amendment be in order if that amendment, as any amendment would, would destroy the effect of the bill?

Mr. ALDRICH. Well, from my standpoint, no; but I am not the presiding officer of this body.

Mr. CARMACK. I merely wanted the Senator's opinion.

Mr. ALDRICH. I am not answering that question simply upon a technical ground. I think it would be manifestly improper for the Senate——

Mr. CARMACK. As a matter of morals?

Mr. ALDRICH. As a matter of ethics. As a matter of ethics, I think it would be manifestly improper for the Senate to do something by indirection which it would not undertake to do by direction.

Mr. CARMACK. General ethics or Senatorial ethics?

Mr. ALDRICH. Both. I do not know any difference.

Mr. CARMACK. I do.

Mr. ALDRICH. I hope the Senator from Tennessee does not. Mr. President, I have said all I care to say upon this subject. I shall vote for this reference. I shall not do it with the idea that that action is to be controlling hereafter as a precedent with respect to the reference of legislation affecting the revenue.

I wish to say a single word further in answer to the suggestion made by the Senator from Georgia. I will say for myself, and not for anybody else, that in my judgment the reciprocity arrangements made by this country in the future will be made through legislative enactments rather than by commercial treaties.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Illinois [Mr. CULLOM], to refer the bill to the Committee on Foreign Relations.

Mr. BAILEY and Mr. TELLER called for the yeas and nays; and they were ordered.

Mr. BACON. The distinct motion, I understand, is to refer the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. That is the question.

Mr. BACON. It involves nothing as to any other committee.

The PRESIDENT pro tempore. It does not.

Mr. ALLISON. Mr. President, before the vote is taken, I wish to say a word respecting the reference of the pending bill. I intend to vote to refer it to the Committee on Foreign Relations, and yet I think there is very much in the debate which would justify its reference to the Committee on Finance, if it would not be controlling in that direction under ordinary circumstances. And when I say that I have no apprehension that the Foreign Relations Committee or the Senate will undertake, by means of treaties with foreign countries, to disturb or destroy our financial system, so far as the tariff is concerned. But I believe there is so much in the contest, if you may call it a contest, which has prevailed for some years, as respects the jurisdiction of the House with reference to commercial treaties wherein the tariff is involved, that in making such treaties there should be a provision for their submission to the House of Representatives before final action.

I believe that has been done in nearly every instance, if not in every instance, hitherto. It certainly was done in the case of the treaty with the Canadian provinces. It was done with the Hawaiian treaty. It was also done when we made the treaty with Mexico. As I remember, it was in the original treaty when sent to this Chamber.

Mr. CULLOM. It was.

Mr. ALLISON. It was in the original treaty made by General Grant, who recognized that whatever might be the final disposition of a contested question as to the power of the Executive and the Senate, under the Constitution, to make a treaty involving a question of revenue, it was not wise to have that question raised in such treaties. Hence such a provision is found in all these treaties up to this time, I believe. I may be mistaken, and if I am the Senator from Illinois will correct me.

Mr. CULLOM. Of late years all the treaties that were called reciprocity or commercial treaties, affecting in any way the revenue, have had a clause of this sort in them.

Mr. ALLISON. I understand that all the recent treaties, made under what is known as the Dingley law, have such a provision. The law authorizing this class of treaties, which was referred to by the Senator from Colorado [Mr. TELLER] in debate, directed that those treaties should be submitted to the House before taking final effect.

Mr. CULLOM. The provision of the Dingley law was that the treaties should be approved by Congress.

Mr. ALLISON. Approved by Congress.

Mr. CULLOM. Hence the expression in this treaty.

Mr. ALLISON. That necessarily involved the question of their submission to the House. Those treaties were so approved.

Now, the reason which underlies the question of their submission to the House is that the treaties involve a change of tariff laws—a change of the rates of duty imposed upon articles imported from foreign countries—and before those changes in duty shall finally take effect it is provided that the measures shall be submitted to the House.

That being true, it involves, to my mind, two or three questions: First, the making of such treaties by the President and the Senate, and secondly, the approval of Congress. The first stage of this process undoubtedly the President must initiate. We here can not very well undertake to make treaties. The treaty-making power here being a coordinate power, it must first be exercised by the President, as I understand, although I believe that some time in the early history of our country the Presidents did in some way advise with the Senate before they made treaties. That is the first stage.

Now, the next question is whether, when the treaties are made, they are providently or improvidently made, so as to destroy the power of the two Houses to raise revenue for the support of the Government. That is distinctly a financial question. Therefore when the treaties are submitted to Congress they are not submitted as respects the general policy of making such treaties or including matters of general commercial policy, but they are submitted to Congress upon that question alone, and being so submitted, in the House, I think, uniformly bills for the approval of such treaties have been referred to the Committee on Ways and Means. Therefore I think it is proper, and, indeed, more natural, that such bills when they come to us from the House should in some way be considered here by the committee which has charge of the general subject of the tariff.

But when we come to this specific treaty, there are difficulties about it, in my mind. In the first place, we committed to the Committee on Relations with Cuba all subjects relating to Cuba, and it therefore seemed proper that that committee should take charge. It also seemed to me proper that the Committee on Finance should take jurisdiction of this subject, if it so desired. As I understand, no member of the Committee on Finance insists, as respects this particular measure, that it shall be considered by that committee. Certainly I do not. I believe that for the convenience of us all it is wiser and better that the bill be first considered by the Committee on Foreign Relations, and I shall so vote, although I do not wish to be foreclosed hereafter by having a precedent which shall exclude the Finance Committee from the consideration of these questions as affecting the revenue.

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

Mr. MITCHELL. Mr. President——

Mr. BAILEY. A parliamentary inquiry before the roll is called.

The PRESIDENT pro tempore. The Senator from Texas will state his parliamentary inquiry.

Mr. BAILEY. I desire to inquire as a matter of order whether if the motion of the Senator from Illinois be voted down the bill will then, without motion, be referred to the Committee on Finance?

Mr. CULLOM. There are two other committees.

The PRESIDENT pro tempore. It would depend upon the opinion of the presiding officer as to where the bill ought to go.

Mr. BAILEY. I thought so.

The PRESIDENT pro tempore. The Chair, undoubtedly, if this motion should be voted down, would send the bill to the Committee on Finance.

Mr. MITCHELL. Mr. President, I intend to vote to refer this bill to the Committee on Foreign Relations, although I think the distinguished Senator from Iowa [Mr. ALLISON] has given very strong reasons why it should go to the Committee on Finance. But what I rose to say more particularly, Mr. President, is that I have some very decided views upon the question as to the different grants of constitutional power to the House of Representatives and the President in reference to matters now under consideration—bills for raising revenue.

I believe most thoroughly that the two grants in the Constitution of the United States, the one directing that all bills for raising revenue shall originate in the House of Representatives and the other conferring upon the Executive of the nation the power, by and with the advice and consent of the Senate, to make treaties, while two separate and distinct grants of power, are grants nevertheless that must be construed together in pari materia so as to give full force and effect to each.

All bills for raising revenue, says the Constitution, shall originate in the House of Representatives, while in a subsequent clause power is vested in the President, by and with the advice and consent of the Senate, to make treaties. There is no limitation or qualification whatever upon this last-designated power. It is a power to make treaties without any qualification or limitation. Therefore it must be construed in connection with the other grant of power, which directs that bills for raising revenue must originate in the House of Representatives, and in order to give full force and effect to both they must be construed together; and so much of the power as is contained in the former grant to the House of Representatives as is necessarily taken away by the other grant authorizing the President, by and with the advice and consent of the Senate, to make treaties is eliminated just to that extent.

Therefore I am firmly of the conviction that when the Constitution says that the President, by and with the advice and consent of the Senate, may make treaties, it means precisely what it says. It is a plenary grant of power, and that a treaty, whether it affects the revenue or not, either directly or indirectly, is nevertheless a treaty, and a treaty authorized by the Constitution of the United States, and just in that proportion and to that extent is the former grant requiring revenue bills to be originated in the House modified; and hence it follows that the House of Representatives has no right, so far as the grant of the Constitution is concerned, to

have any say on the matter of revenue where that revenue is affected by a treaty made by the President, by and with the advice and consent of the Senate.

Of course the Senate can waive the constitutional question and defer to the claim of the House; it has done so, I believe, time and time again. I refer to the claim of the House that there is no power with the Executive and the Senate, in the absence of concurrence on the part of the House, to make a treaty affecting the revenue, and therefore the House has been given opportunity from time to time, in various bills to enforce treaties, to have its say upon the question. But all I mean to say is that in my judgment the House has no constitutional right to have anything to say on the subject. I believe a careful examination of the authorities upon that subject, of the best writers on constitutional construction, will bear out the opinion to which I give my adherence.

I simply wanted to say this much, Mr. President. Now, although I shall vote, of course, for this bill when it comes up, I deny that the House of Representatives has any constitutional right to pass upon any question of revenue, where that revenue has been affected by a treaty made in accordance with the grant in the Constitution authorizing the President, by and with the advice and consent of the Senate, to make treaties.

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

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. TELLER. At the suggestion of Senators about me, I will withdraw the call for the yeas and nays, if nobody objects.

Mr. MONEY. Before the vote is taken——

Mr. LODGE. Has there not been a response on the roll call?

The PRESIDENT pro tempore. One Senator has responded to his name.

Mr. LODGE. Then I make the point of order that debate is not in order.

Mr. MONEY. I can not hear.

Mr. BLACKBURN (to Mr. MONEY). There has been a response on the roll call.

Mr. MONEY. I was unaware of that fact.

Mr. GORMAN. I suggest that it is hardly fair that that rule should be enforced in this instance. The Senator from Colorado rose before a response was heard on this side and withdrew the demand for the yeas and nays.

Mr. BAILEY. Since that question has been raised, I will renew the demand for the yeas and nays.

Mr. GORMAN. The Senator from Texas will pardon me for a moment. I am dealing with the Senator from Mississippi.

Mr. BAILEY. Oh!

Mr. GORMAN. I was about to suggest that under the circumstances it would not be fair to cut the Senator from Mississippi from the floor.

Mr. BAILEY. Of course not.

Mr. GORMAN. The Senator from Colorado rose at the same moment that the roll call commenced and was recognized by the Chair, and withdrew the demand for the yeas and nays. I suggest to the Senator from Massachusetts that we should not take advantage of the fact, if it be the fact, as I suppose it is, that a response has been made to cut off the Senator from Mississippi.

Mr. MONEY. I do not consider that what I am about to say is of sufficient importance to make a contention about it, and if the Senator from Massachusetts insists upon his point of order I will simply take my seat.

The PRESIDENT pro tempore. The Senator from Colorado withdrew the demand for the yeas and nays.

Mr. CULLOM. The Senator from Texas renewed it.

The PRESIDENT pro tempore. The demand having been withdrawn——

Mr. LODGE. How could he withdraw it or do anything after a name had been called and there had been a response?

The PRESIDENT pro tempore. The Senator from Colorado was rising to withdraw the demand while the Secretary called the name of the Senator from Rhode Island, and the Chair, under the circumstances, thinks it would be better not to enforce the rule.

Mr. CULLOM. I did not rise to make any question about the ruling of the Presiding Officer or to oppose an opportunity for the Senator from Mississippi to speak. I only wanted to say that the Senator from Texas [Mr. BAILEY] renewed the demand for the yeas and nays after it was withdrawn by the Senator from Colorado.

The PRESIDENT pro tempore. Does the Senator from Texas renew the demand for the yeas and nays?

Mr. BAILEY. Of course I would not renew it until the Senator from Mississippi has said what he desires to say to the Senate, and I will say, while I am on my feet, that I do not care for the yeas and nays. Of course everybody knows how the question will be decided, but if the Senator from Massachusetts would like to have the record made, I shall be glad to join him in demanding the yeas and nays.

Mr. LODGE. I have no desire to have the record made. I am perfectly willing to withdraw the point of order. The only reason I made it is that I think, after the roll has begun, it is a very dangerous precedent for our general conduct of business to reenter on debate. We are pretty loose about it anyway.

Mr. BAILEY. I concur in that opinion generally, but in view of some statements that have been made on the other side, that they are going to do this this time and are not going to do it any more, I desire to spare them the embarrassment of a record, and I think perhaps the next time, without a record vote to confront them, they will vote right. I make no demand for the yeas and nays.

The PRESIDENT pro tempore. The demand for the yeas and nays has been withdrawn, and the Senator from Mississippi is recognized.

Mr. MONEY. Mr. President, I do not intend to occupy more than a very few moments, much less time than has already been consumed in discussing the point of order.

It happens that I am a member of all three committees concerned, and therefore, so far as I am personally concerned, it is simply a shifting of the burden from one shoulder to the other. I have a belief that this matter should go to the Committee on Finance, but I have no objection, particularly, to its going to any other committee to which the Senate may choose to refer it.

I am aware also—and I believe that is the only reason which has been used in favor of sending this matter to the Committee on Foreign Relations—that the members of that committee reported the treaty to the Senate, are familiar with the subject-matter in its detail, and would be prepared to report perhaps after a single sitting, and I know the anxiety of the Senate to adjourn.

But as some matters of fact have come up here for discussion, I wish to say, in answer to the Senator from Iowa [Mr. ALLISON], as I understood him, not being able to hear him entirely distinctly, I believe everything which concerns the levying of taxes and the collection of revenue should go to that committee which is designed by the rules to take charge of such matters, and there should be no exception whatever.

It has been decided that the Committee on Pacific Islands and Porto Rico has charge of that tariff, and the Philippine Committee, I believe, also, with respect to the tariff as to those islands. In those matters we are dealing with our colonies. Here we are dealing with an independent country, an independent Republic. The reason, however, is just as good in that case as in the other, and my opinion is that they should all have gone to the Committee on Finance. I disagree also with the statement that a treaty of this character has no sort of validity unless confirmed by both Houses. I believe that the House should originate all matters of revenue, but I also think that whenever a treaty is negotiated and ratified by the Senate it is then a part of the law of the land. According to the declaration of the Constitution it and all the statutes and treaties passed in consonance with it are the supreme law of the land.

But what I particularly wanted to say was this: The Senator from Iowa, as I understood him, said that in this case and in the others adduced all these matters concerning the laying of revenue and taxation had been referred to different committees. It is true the line of precedent is wavering. But the line of authority is steadfast. He instanced a case now and then where the authority of the committee seems to have been invaded and the consideration of such matters taken from the Finance Committee.

But now let us assume, Mr. President, that it will work as well in one case as in another, which is the assumption upon which we are now proceeding. We had here in the last Congress thirteen several reciprocity bills, negotiated formally by a commission appointed by the President of the United States under the authority of the Dingley Act, the same authority having been conferred previously by the McKinley Act. Those bills regulated all the tariff of this country with the respective countries with which they were negotiated.

I will suppose now that the whole ground could have been covered by reciprocity treaties, and that the President had full authority, as far as the legislative power could give it to him, will not be disputed by anyone. Suppose the President, then, in pursuance of that authority, had negotiated a treaty with every nation in the world with which we held commercial intercourse, I want to know, then, what would have become of the Finance Committee of the Senate? There would not have been a single subject for them to consider in connection with the tariff. The whole question of levying taxes, regulating customs, and raising revenue by tariff would have been taken piecemeal from that committee and all of it conferred upon the Committee on Foreign Relations.

Now, if you can do it in one case you can do it in all, and for that single reason, if I had no other, which I have, and I will not detain the Senate with any relation of them—for that reason I shall feel compelled to vote that this bill shall be referred to the Committee on Finance. I know that it makes no particular

difference in the result. I understand that; this has been debated here almost as an academic question in its effect, but nevertheless I fully agree with what the Senator from Texas said about it; and I desire simply to go on record with my reason for voting against referring the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The question is on the motion to refer the bill to the Committee on Foreign Relations.

The motion was agreed to.

Mr. CULLOM. I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, November 23, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 20, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

SWEARING IN OF A MEMBER.

Mr. RIXEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RIXEY. I desire to make a motion that the gentleman from North Carolina, Mr. Claude Kitchin, be sworn in.

The SPEAKER. Let the gentleman come forward.

Thereupon Mr. Claude Kitchin, a Member-elect from the Second district of North Carolina, appeared at the bar of the House and took the oath of office prescribed by law.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LANNING obtained leave of absence for ten days on account of important business.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 5 minutes p. m.) the House, under its previous order, adjourned until Tuesday, November 24, 1903, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 4681) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home—to the Committee on the Public Lands.

Also, a bill (H. R. 4682) to provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: A bill (H. R. 4683) providing for the erection of a public building at Trenton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4684) providing for the erection of a public building at Carrollton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4685) providing for the erection of a public building at Brookfield, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. ZENOR: A bill (H. R. 4686) for the erection of a public building at Jeffersonville, Clark County, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH: A bill (H. R. 4687) for the erection of a public building at North Tonawanda, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. OTIS: A bill (H. R. 4688) making appropriation for the construction and completion of Eastchester Creek—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4689) for the improvement of the harbor at Tarrytown, N. Y.—to the Committee on Rivers and Harbors.

By Mr. THOMPSON: A bill (H. R. 4690) to improve and to continue the improvement of the Coosa River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4691) to appropriate $2,500 to erect a soldiers' monument at Emuckfaw, Tallapoosa County, Ala.—to the Committee on the Library.

Also, a bill (H. R. 4692) to provide for the erection and maintenance of a Soldiers' Home in the Fifth Congressional district of Alabama and an appropriation of $100,000 for same—to the Committee on Military Affairs.

Also, a bill (H. R. 4693) to amend the Bowman Act, volume 22, Statutes at Large, page 485—to the Committee on War Claims.

Also, a bill (H. R. 4694) to appropriate $100,000 for the relief of parties for property taken from them by military forces of the United States—to the Committee on War Claims.

By Mr. DICK: A bill (H. R. 4696) providing for penalty envelopes for return vouchers in mailing pension checks—to the Committee on the Post-Office and Post-Roads.

By Mr. MARSHALL: A bill (H. R. 4697) to provide free mail transmission in the presentation for payment of executed vouchers for pension—to the Committee on the Post-Office and Post-Roads.

By Mr. FIELD: A bill (H. R. 4698) to provide for the erection of a public building at Corsicana, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIDSON: A bill (H. R. 4699) to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. McANDREWS: A resolution (H. Res. 28) making inquiry as to the material to be used in the construction of the union station in the city of Washington, D. C.—to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. STEPHENS of Texas: A bill (H. R. 4695) to pay deputy clerks in the Indian Territory their salaries for recording legal documents—to the Committee on the Judiciary.

By Mr. BOWERSOCK: A bill (H. R. 4700) granting an increase of pension to Rosetta Galbraith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4701) granting an increase of pension to David P. De Tar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4702) granting an increase of pension to John T. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4703) granting an increase of pension to S. R. Beckwith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4704) granting an increase of pension to James H. Devin, alias Harrison J. Devin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4705) granting an increase of pension to John C. Marshall—to the Committee on Invalid Pensions.

By Mr. BURGESS: A bill (H. R. 4706) to pay Lavaca County National Bank $105—to the Committee on Claims.

By Mr. COWHERD: A bill (H. R. 4707) granting a pension to Margaret J. Snook—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 4708) granting an increase of pension to Samuel Engle—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 4709) granting an increase of pension to John S. Kephart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4710) granting an increase of pension to John Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4711) granting an increase of pension to David Ennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4712) granting an increase of pension to Thomas H. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4713) granting an increase of pension to Hensley H. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4714) granting an increase of pension to Curtis C. Bliton—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 4715) for the relief of Patrick J. Sullivan, Jeremiah McCarthey, and Bartholomew Shea, and for the relief of the heirs and legal representatives of John B. Dillon—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 4716) granting an increase of pension to Mary B. Long—to the Committee on Invalid Pensions.

By Mr. HUNT: A bill (H. R. 4717) for the relief of Martha A. Murphy—to the Committee on War Claims.

Also, a bill (H. R. 4718) granting an increase of pension to Thomas Ballard—to the Committee on Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 4720) granting a pension to George Evans—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 4721) granting an increase of pension to Thomas Hutchinson—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 4722) granting a pension to Charles Jacobs—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 4723) for the relief of the Stone, Sand, and Gravel Company, of New Orleans, La., and the surety for the performance of its contract with the Government for diverting the mouth of the Yazoo River, near Vicksburg—to the Committee on Claims.