

## SENATE.

FRIDAY, March 25, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

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. Without objection, the Journal will stand approved.

## FINDINGS BY THE COURT OF CLAIMS.

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 Thomas Dixon v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Louisa Perkins, administratrix of Augustus N. Perkins, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Lucy J. Eaton, executrix of Lucy A. Caldwell, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation;

A bill (S. 4640) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Missouri River, and to establish it as a post-road," approved February 28, 1903;

A bill (H. R. 56) to authorize the State of South Dakota to select school and indemnity lands in the ceded portion of the Great Sioux Reservation, and for other purposes;

A bill (H. R. 3761) ceding certain land appertaining to the custom-house at St. Joseph, Mo., for use as a street;

A bill (H. R. 8335) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28;

A bill (H. R. 9777) granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city;

A bill (H. R. 9791) granting a pension to Abram Claypool;

A bill (H. R. 11449) to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River.

A joint resolution (S. R. 53) authorizing the reprinting of certain documents to be sold by the superintendent of documents;

A joint resolution (H. J. Res. 55) providing for the publication of the reports of the Board of Managers and Inspectors of the National Home for Disabled Volunteer Soldiers for the fiscal year ending June 30, 1903;

A joint resolution (H. J. Res. 113) for the printing of 5,000 copies, with accompanying maps and illustrations, of the report of the governor of New Mexico to the Secretary of the Interior for the year ending June 30, 1903, and the printing of 1,000 copies of the latest map of said Territory; and

A joint resolution (H. J. Res. 133) providing that the bulletins of the Bureau of American Ethnology be printed in octavo.

## PETITIONS AND MEMORIALS.

Mr. SMOOT presented a petition of Local Lodge No. 103, Brotherhood of Boiler Makers and Iron-ship Builders, of Salt Lake City, Utah, praying for the extension of the coastwise laws of the United States to the trade between the mainland and the Philippine Islands; which was referred to the Committee on Commerce.

Mr. FAIRBANKS presented a petition of the congregation of the Morton Chapel Church, of Jeffersonville, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented the petition of W. S. King and sundry other citizens of Wells County, Ind., praying that an appropriation be made to increase the salaries of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Eli Lilly & Co., of Indianapolis, Ind., praying for the passage of the so-called "Hepburn pure-food bill" and remonstrating against the passage of the so-called "McCumber pure-food bill;" which was ordered to lie on the table.

He also presented a petition of Local Union No. 72, International Brotherhood of Stationary Firemen, of Indianapolis, Ind., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. BURNHAM presented the petition of Byron W. Clough and 40 other patrons of free-delivery route No. 3, of Concord, N. H., praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers and remonstrating against the enactment of legislation to prohibit free rural letter carriers from carrying express matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Dr. John W. Parsons, of Portsmouth, N. H., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of F. Melber, of Pittsburg, Pa., praying for the passage of the so-called "Brownlow good roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of the Atlantic Works, of East Boston, Mass.; of the Citizens' Industrial Association of Dayton, Ohio, and of the New England Manufacturing Jewelers' and Silversmiths' Association, of Providence, R. I., remonstrating against the passage of the so-called "eight-hour bill;" which were referred to the Committee on Education and Labor.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Portsmouth, N. H., 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 memorial of the Linnaean Society of New York City, remonstrating against the repeal of the law for the protection of game in Alaska; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented the memorial of Dr. Lemuel Pope, jr., and 73 other citizens of Portsmouth, N. H., remonstrating against the passage of the so-called "power-boat bill;" which was referred to the Committee on Commerce.

Mr. McCUMBER presented a petition of sundry citizens of North Dakota, praying for the enactment of legislation making State historical societies designated depositories of public documents; which was referred to the Committee on Printing.

Mr. GALLINGER presented a petition of the Retail Merchants' Association of Pennsylvania, of Erie, Pa., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented the petitions of Frank A. Bourne, of Boston, and of Warren K. Blodgett, of Boston, in the State of Massachusetts; of the Washington State Chapter, American Institute of Architects, of Seattle, Wash.; of the Minneapolis Art League, of Minneapolis, Minn.; of John G. Wotung, of Baltimore, Md., and of the New York Chapter, American Institute of Architects, of New York City, praying for the enactment of legislation to regulate the erection of buildings on the Mall, in the District of Columbia; which were referred to the Committee on Appropriations.

Mr. PERKINS presented a memorial of sundry citizens of San Francisco, Cal., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the Army and Navy Parlor, No. 207, Native Sons of the Golden West, of California, praying for the enactment of legislation granting extra travel pay to volunteers who served in the Philippines during the war with Spain; which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of Watsonville, Cal., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Pacific Grove, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of California, praying for the enactment of legislation granting lands in severalty to landless Indians in northern California; which were referred to the Committee on Indian Affairs.

Mr. KEAN presented a memorial of the Audubon Society, of New Jersey, remonstrating against the repeal of the law for the protection of game in Alaska; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of the congregation of the Methodist



Protestant Church of Pitman, of the congregation of the Methodist Episcopal Church of Wenonah, and of the congregation of the First Baptist Church of Matawan, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LONG presented a petition of sundry citizens of Atchison, Lyon, and Belpre, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry labor organizations of Salina, Kans., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented the affidavit of Kate M. Smith, widow of Andrew Smith, late captain, One hundred and twenty-second New York Infantry, and major, United States Volunteers; which was referred to the Committee on Pensions, to accompany the bill (S. 5170) granting a pension to Kate M. Smith.

He also presented a petition of the Central Labor Union of the American Federation of Labor, of Emporia, Kans., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

Mr. HOAR presented petitions of sundry citizens of Hampshire County, Mass., of the Woman's Club of Freeport, and of the congregation of the First Baptist Church of Freeport, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Ancient Order of Hibernians of the United States, praying for the enactment of legislation providing for the erection of a statue to the memory of Commodore John Barry; which was referred to the Committee on the Library.

He also presented petitions of sundry architects of Boston, Mass., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which were referred to the Committee on Appropriations.

Mr. CLAPP presented a petition of sundry citizens of Cottage Grove, Minn., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Homer Circle, Department of Minnesota, Ladies of the Grand Army of the Republic, of Minnesota, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Mankato Branch, Journeymen Stone Cutters' Association, of Mankato, Minn., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented the petition of Robert Koehler, president of the Minnesota State Art Society, of St. Paul, Minn., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which was referred to the Committee on Appropriations.

Mr. CULBERSON presented a petition of Typographical Union No. 333, American Federation of Labor, of Denison, Tex., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

Mr. PENROSE presented the petition of Capt. T. H. L. Payne and sundry other veterans of Philadelphia, 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 Trade of Philadelphia, Pa., praying for the enactment of legislation to provide for the construction of a light-house tender for use in the fourth light-house district; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Bryn Mawr, Wynnewood, and Rosemont, Pa., praying that lands in severalty be granted the landless Indians of northern California; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for a reconvening of the Joint High Commission of 1898 for the purpose of negotiating a new reciprocal treaty between the United States and Canada; which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the Church of Christ of Troy, Pa., and a petition of the congregation of the Forty-third Street Presbyterian Church, of Pittsburgh, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Pittsburg and

Allegheny, in the State of Pennsylvania, praying for the enactment of legislation to create a Colonization Bureau and to provide for advances to actual settlers on the public domain; which was referred to the Committee on Public Lands.

Mr. CARMACK presented petitions of sundry citizens of McLeomoresville, Tenn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of Delavan Post, No. 155, Department of Illinois, Grand Army of the Republic, of Delavan, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Western Avenue Methodist Episcopal Church, of Chicago, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. HEYBURN presented a petition of the Helpers' Division, Brotherhood of Boiler Makers and Iron-ship Builders, of Pocatello, Idaho, praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

Mr. MALLORY presented a petition of sundry owners and masters of vessels of Pensacola, Fla., praying for the denial of American registry to foreign-built vessels; which was referred to the Committee on Commerce.

Mr. FRYE presented a petition of the Maine Indian Association, praying that lands in severalty be granted to the landless Indians of northern California; which was referred to the Committee on Indian Affairs.

#### REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (S. 5177) to establish four permanent military camp grounds in the States of Texas, Wisconsin, Pennsylvania, and California, and for the enlargement of the Chattanooga and Chickamauga National Park, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported adversely thereon; and the bills were postponed indefinitely:

A bill (S. 499) to establish a permanent military camp ground in the vicinity of Oakland, in Garrett County, Md.;

A bill (S. 676) to establish a permanent military camp ground upon the Nacimiento ranch, situated in Monterey and San Luis Obispo counties, Cal.;

A bill (S. 3682) to establish four permanent military camp grounds: In the vicinity of Fort Sam Houston, Tex.; Camp Douglas, Wis.; in the Conewago Valley, Pennsylvania, and at or near Nacimiento ranch, California;

A bill (S. 3681) to establish a permanent military camp ground in the Conewago Valley, in the counties of Dauphin, Lebanon, and Lancaster, Pa.;

A bill (S. 908) to establish a permanent military camp ground in the vicinity of Fort Sam Houston, Tex.;

A bill (S. 2949) to establish a permanent military camp ground in the vicinity of Tacoma, in Pierce County, Wash.; and

A bill (S. 1427) to establish a permanent military camp ground in the vicinity of Camp Douglas, in Juneau County, Wis.

Mr. QUARLES, from the same committee, to whom was referred the amendment submitted by Mr. CARMACK on the 29th ultimo, intended to be proposed to the bill (S. 3682) to establish four permanent military camp grounds: In the vicinity of Fort Sam Houston, Tex.; Camp Douglas, Wis.; in the Conewago Valley, Pennsylvania, and at or near Nacimiento ranch, California, reported adversely thereon; and the amendment was postponed indefinitely.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (S. 2330) to correct the military record of Jacob McDowell, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 3754) for the relief of Henry T. Clarke, reported it with amendments, and submitted a report thereon.

BERTHA A. HOLZER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. FORAKER on the 23d 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 Bertha A. Holzer, widow of W. J. Holzer, late a folder 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.

## LEONARD E. WALES.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. BALL on the 23d 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 Leonard E. Wales, in trust for Edward R. Elkinton, William R. Elkinton, John Y. Elkinton, and Mary W. Elkinton, minor children of David W. Elkinton, late conductor of elevator 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.

## BILLS INTRODUCED.

Mr. CLARK of Wyoming introduced a bill (S. 5237) for the relief of Philip McDonald; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 5238) for the relief of George F. Ormsby; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 5239) to extend the provisions of the act of June 27, 1903, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892;" which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5240) granting an increase of pension to Hugh R. Barnard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 5241) to regulate the salaries of assistant postmasters in post-offices of the first class; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GAMBLE introduced a bill (S. 5242) to set apart certain lands in the State of South Dakota as a public park, to be known as the Battle Mountain Sanitarium Park; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. KITTREDGE introduced a bill (S. 5243) granting an increase of pension to Benjamin F. Ross; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULBERSON introduced a bill (S. 5244) granting an increase of pension to John K. Whited; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McLAURIN introduced a bill (S. 5245) to indemnify G. W. Hardy and Joseph Lard, of Scott County, Miss., for homestead land, by granting other lands in lieu thereof; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 5246) for the relief of Henry Jones; which was read twice by its title, and referred to the Committee on Claims.

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

A bill (S. 5247) for the relief of Arthur Taylor;

A bill (S. 5248) for the relief of the estate of Camile Berard, deceased;

A bill (S. 5249) for the relief of Augustin Lastrappes; and

A bill (S. 5250) for the relief of the estate of Jacob H. Morrison, deceased.

Mr. KEAN introduced a bill (S. 5251) for the purchase of a site and the erection of a public building thereon in the city of Plainfield, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5252) granting an increase of pension to Peter C. Applegate; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 5253) granting an increase of pension to Joseph Mort; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 5254) to provide for an additional recording district in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CLAPP introduced a bill (S. 5255) to provide allotments to Indians on White Earth Reservation, in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PENROSE introduced a bill (S. 5256) to correct the military record of Isaac Sutton; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5257) to correct the military record of Patrick F. McDermott; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 5258) for the relief of the city of Annapolis, Md., and certain citizens thereof; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 5259) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5260) for the relief of Mattie H. Jarnagin; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 5261) granting a pension to Georgia H. Suminsby; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEYBURN introduced a bill (S. 5262) granting an increase of pension to Albert Wines; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5263) granting a pension to Anna M. Espolucci; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 5264) establishing an additional recording district in Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

## AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. PROCTOR submitted an amendment proposing to appropriate an additional sum of \$50,000 for furnishing and equipping the United States revenue cutters with Ingersoll self righting and bailing lifeboats to be propelled by oars and sails or by motor power, as the Department may decide, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. McCREARY submitted an amendment proposing to appropriate \$10,000 for the construction of an elevator connected with each story of the United States public building at Richmond, Ky., etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

## TESTIMONY IN IMPEACHMENT CASES.

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

*Resolved*, That the Committee on Rules be directed to consider and report whether any amendment be desirable in the Senate rules relating to impeachments, and especially whether the rules may properly and lawfully provide for taking testimony in such cases by a committee in accordance with the practice of the English House of Lords in such cases, questions of the admission of material testimony and the final argument being reserved for the full Senate.

## REPORT ON PAN-AMERICAN RAILWAY.

Mr. ELKINS submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed, with the accompanying map, 7,000 additional copies of the report of the commissioner appointed under the sundry civil appropriation act of March 3, 1903, to carry out the recommendations of the Second International Conference of American States with regard to the Pan-American Railroad, 2,000 for the use of the Senate, 2,000 for the House of Representatives, 2,000 for the Bureau of American Republics for distribution at the Louisiana Purchase Exposition, and 1,000 for the permanent Pan-American Railway committee.

## SAMUEL A. STEELE—WITHDRAWAL OF PAPERS.

On motion of Mr. SCOTT, it was

*Ordered*, That leave be granted to withdraw from the files of the Senate the papers in the case of Samuel A. Steele, Senate bill 2942, there having been no adverse report on the same.

## PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 22d instant approved and signed the following acts:

An act (S. 3638) ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks-bond election held by the city of Geary, in said Territory;

An act (S. 1667) granting a pension to Stalnaker Marteney;

An act (S. 1760) granting a pension to Ann A. Devore;

An act (S. 1959) granting a pension to Mary Remington;

An act (S. 2894) granting a pension to Clara G. Garretson;

An act (S. 2971) granting a pension to Amelia Walsh;

An act (S. 3417) granting a pension to Garrett V. Chamberlin;

An act (S. 3519) granting a pension to Ruby A. Stirdivant;

An act (S. 3654) granting a pension to Hannah Hall;



An act (S. 3860) granting a pension to James Henry Martineau;  
 An act (S. 106) granting an increase of pension to Carrie Wages;  
 An act (S. 140) granting an increase of pension to Daniel B. Bailey;  
 An act (S. 200) granting an increase of pension to Austin Almy;  
 An act (S. 236) granting an increase of pension to Andrew Jackson Power;  
 An act (S. 305) granting an increase of pension to John R. Evans;  
 An act (S. 336) granting an increase of pension to William Lechleider;  
 An act (S. 358) granting an increase of pension to Phebe A. Ford;  
 An act (S. 360) granting an increase of pension to Mary Lucetta Arnold;  
 An act (S. 447) granting an increase of pension to David H. George;  
 An act (S. 450) granting an increase of pension to George H. Sutherland;  
 An act (S. 454) granting an increase of pension to Rinaldo M. Griswold;  
 An act (S. 569) granting an increase of pension to Jesse B. Nurse;  
 An act (S. 783) granting an increase of pension to William McGee;  
 An act (S. 827) granting an increase of pension to Elias S. Gibson;  
 An act (S. 1338) granting an increase of pension to Orson H. Sawtelle;  
 An act (S. 1394) granting an increase of pension to Lewis M. Webster;  
 An act (S. 1423) granting an increase of pension to Samuel F. Murry;  
 An act (S. 1436) granting an increase of pension to Thomas P. Wentworth;  
 An act (S. 1661) granting an increase of pension to Mary E. Riley;  
 An act (S. 1764) granting an increase of pension to John Shehan;  
 An act (S. 1899) granting an increase of pension to Thompson Warren;  
 An act (S. 2029) granting an increase of pension to Peter P. Dobozy;  
 An act (S. 2058) granting an increase of pension to Jacob A. Roof;  
 An act (S. 2320) granting an increase of pension to Samuel H. Legrow;  
 An act (S. 2348) granting an increase of pension to Hamilton S. Gillespie;  
 An act (S. 2655) granting an increase of pension to Isaac Zellers;  
 An act (S. 2661) granting an increase of pension to John H. Klingler;  
 An act (S. 2690) granting an increase of pension to James Garry;  
 An act (S. 2857) granting an increase of pension to Onne H. Ropka;  
 An act (S. 2863) granting an increase of pension to David C. Coleman;  
 An act (S. 2871) granting an increase of pension to Justin M. Cooper;  
 An act (S. 2872) granting an increase of pension to Albert Schermerhorn;  
 An act (S. 2937) granting an increase of pension to Julius Bodenstab;  
 An act (S. 2938) granting a pension to James L. Ackley;  
 An act (S. 2946) granting an increase of pension to Joshua Day;  
 An act (S. 2952) granting an increase of pension to William J. P. Buck;  
 An act (S. 2959) granting an increase of pension to Ada Johnson;  
 An act (S. 2960) granting an increase of pension to Jacob Horning;  
 An act (S. 3201) granting an increase of pension to James I. Shafer;  
 An act (S. 3377) granting an increase of pension to John M. Tyree;  
 An act (S. 3394) granting an increase of pension to Joseph B. Crawford;  
 An act (S. 3457) granting an increase of pension to Marcellus M. Parker;  
 An act (S. 3491) granting an increase of pension to Andrew J. Howe;  
 An act (S. 3499) granting an increase of pension to Samuel E. Lookingbill;  
 An act (S. 3500) granting an increase of pension to Orrin L. Mann;  
 An act (S. 3523) granting an increase of pension to Joseph W. Butz;

An act (S. 3535) granting an increase of pension to John Walton;  
 An act (S. 3544) granting an increase of pension to George W. Phillips;  
 An act (S. 3573) granting an increase of pension to Calvin E. Myers;  
 An act (S. 3651) granting an increase of pension to Mildred S. Ogden;  
 An act (S. 3690) granting an increase of pension to George W. Gregory;  
 An act (S. 3727) granting an increase of pension to Eli Headley;  
 An act (S. 3771) granting an increase of pension to Virginia C. Spencer;  
 An act (S. 3827) granting an increase of pension to Norman B. Davenport; and  
 An act (S. 3833) granting an increase of pension to George T. Edwards.

CAPT. SETH MITCHELL ACKLEY.

Mr. LODGE. I ask unanimous consent to call up the bill (S. 2650) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy.

The PRESIDENT pro tempore. The bill will be read.

The SECRETARY. The Committee on Naval Affairs reports to strike out all after the enacting clause of the bill and to insert:

That the President be, and he is hereby, authorized to restore Seth Mitchell Ackley, now a captain on the retired list, to the active list of the Navy: *Provided*, That the said Ackley shall, upon examination in accordance with regulations to be prescribed by the Secretary of the Navy, before an examining board composed of five members, of whom three shall be line officers his senior in rank, and the remaining two medical members, satisfactorily establish his mental, moral, professional, and physical fitness to perform active service, the place to which he shall be restored to be determined by the Secretary of the Navy after recommendation with regard thereto by said board: *And provided further*, That the said Ackley shall be carried as additional to the number of the grade to which he may be restored or at any time thereafter promoted.

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

Mr. COCKRELL. From what committee does it come?

The PRESIDENT pro tempore. The Committee on Naval Affairs.

Mr. COCKRELL. Is there any report with it?

The PRESIDENT pro tempore. There is a report.

Mr. COCKRELL. I should like to hear the report read. It is rather an uncommon bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. GALLINGER February 2, 1904, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 2650) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy, having considered the same, report thereon with a recommendation that it pass with an amendment as follows:

Strike out all after the enacting clause and insert the following:

That the President be, and he is hereby, authorized to restore Seth Mitchell Ackley, now a captain on the retired list, to the active list of the Navy: *Provided*, That the said Ackley shall, upon examination in accordance with regulations to be prescribed by the Secretary of the Navy, before an examining board composed of five members, of whom three shall be line officers his senior in rank, and the remaining two medical members, satisfactorily establish his mental, moral, professional, and physical fitness to perform active service, the place to which he shall be restored to be determined by the Secretary of the Navy after recommendation with regard thereto by said board: *And provided further*, That the said Ackley shall be carried as additional to the number of the grade to which he may be restored or at any time thereafter promoted.

The above amendment is in conformity with the views of the Navy Department, as will be shown by the following letter:

NAVY DEPARTMENT,  
 Washington, December 24, 1903.

SIR: The Department has received the committee's letter of the 17th instant, inclosing a copy of the bill (S. 2650) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy, and in response to the request for an expression of its views with respect to the measure has the honor to submit the following:

A vacancy for the promotion of Commander Ackley to the grade of captain occurred September 2, 1901. He failed to qualify physically for such promotion, however, and on October 25, 1901, after examination by a retiring board, he was placed upon the retired list for disability incident to the service, pursuant to section 1453 of the Revised Statutes, and in view of his creditable record and of his civil-war service, with the rank of the next higher grade, that of captain, in accordance with the provisions of section 11 of the "personnel act," approved March 3, 1899. The pending bill provides for his restoration to the active list to take place next after Capt. Charles T. Hutchins, who immediately preceded him on said list at the date of his retirement, and who now stands No. 35 in his grade.

The Department believes that when an officer who has been retired for disability incurred in the line of duty recovers his health he should, if in other respects desirable, be restored to the active list, in order that the Government may receive the benefit of his services. The difficulty is to determine the position to which he should be restored, as to put him in the place which he would have occupied had he remained in active service would appear to be an injustice to officers who have performed their duty and acquired experience in their profession during the period of his absence, while, on the other hand, to give him the actual place which he held when he left the service would make him in some cases much junior to officers whom he ranked when he was retired. This difficulty may in large measure be met, however, by making the officer an additional number in any grade to which he may be restored or at any time thereafter promoted.

In the opinion of the Department the matter of transfer from the retired to the active list should be passed upon by a board composed like a retiring board of three officers of the corps to which the applicant belongs senior to him in rank and two medical officers. It should be the duty of this board to determine the mental, moral, professional, and physical qualifications of the



applicant (the medical members participating in the mental and physical examination only), and, further, to make recommendation as to the place to which the officer, if found qualified, should be restored, taking into consideration in reaching a conclusion on this point the circumstances of each particular case, including the reasons for retirement and the length of time the officer has been on the retired list, the place to which he shall be assigned, however, to be definitely determined by the Secretary of the Navy in his discretion after consideration of the recommendation of the board. The result which it is desired to attain is the restoration of the officer concerned to a place between that which he occupied when he was retired and that which he would have reached had he remained in active service, higher or lower on the list, according to the equitable circumstances of each case.

I submit herewith the draft of a bill prepared in accordance with the foregoing views, applicable to the case of Captain Ackley, and suggest that, if it meet the committee's approval, it be substituted for the pending measure. It has not been deemed necessary to embody in this bill the details above mentioned with regard to the procedure of the examining board, such matters being sufficiently covered by the general provision for an examination in accordance with regulations to be prescribed by the Secretary of the Navy. The proviso in the pending measure (S. 2850) that the beneficiary "shall not receive any extra pay for the time he was on the retired list and not on active duty" is omitted in the draft herewith because regarded as unnecessary, but there can be no objection to adding it if the committee so desires.

Very respectfully,

W. H. MOODY, Secretary.

Hon. EUGENE HALE,  
Chairman Committee on Naval Affairs, United States Senate.

Mr. COCKRELL. I should like to ask the Senator who reported the bill if the substitute recommended by the Secretary of the Navy is the one reported?

Mr. GALLINGER. It is, precisely.

Mr. COCKRELL. It takes a man who was placed upon the retired list for disability incurred in service in the line of duty from that list and puts him back on the active list, provided he can stand the necessary physical examination?

Mr. GALLINGER. That is exactly what it does.

Mr. COCKRELL. And it is based on the ground that he has recovered from those injuries and is now fit for active service?

Mr. GALLINGER. That is the situation, I will say to the Senator.

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

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

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

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

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the District of Columbia appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask that the formal reading of the bill be dispensed with, and that the committee amendments be acted upon as they are reached in the reading.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the formal reading of the bill be dispensed with; that it be read for amendment, and that the amendments of the committee shall first receive consideration. The Chair hears no objection, and that order is made.

Mr. HANSBROUGH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. ALLISON. I will yield to the Senator.

Mr. HANSBROUGH. I thank the Senator from Iowa.

Mr. President, I addressed the Chair this morning when the Chair asked if there was further morning business, but I was not recognized, and the Senator from Massachusetts was recognized for the passage of a bill. I did not complain. I believe the Chair did not announce that the morning business had closed. It was my desire to call up the bill introduced by the Senator from Montana [Mr. GIBSON], with a view of submitting a few remarks thereon. Of course the Senate understands that I can speak on the District of Columbia appropriation bill, but I do not desire to do that. I simply submit that I should have been recognized at the time I addressed the Chair, so that I might have called up the bill.

The PRESIDENT pro tempore. The Chair recognizes the first Senator he sees rise in his place, which it is his duty to do.

Mr. ALLISON. I yield to the Senator from North Dakota.

Mr. HANSBROUGH. Of course, the Senator from Iowa is very courteous. I do not like to talk upon a public-land question when the District of Columbia appropriation bill is up. I wanted to get the bill before the Senate in regular order, and now that

the appropriation bill is up I desire to give notice that to-morrow morning when the Chair announces that the morning business has closed, or if he asks whether there is further morning business, I shall request that the bill introduced by the Senator from Montana be laid before the Senate.

Mr. LODGE. It is in order now.

Mr. HANSBROUGH. It is not in order now, because the morning business is closed, as I understand it.

Mr. COCKRELL (to Mr. HANSBROUGH). Ask unanimous consent.

Mr. HANSBROUGH. I am willing that the Senator from Iowa shall go on with the appropriation bill, and I will offer the observations I have to submit to-morrow morning.

Mr. ALLISON. I shall be glad to yield to the Senator now, or to-morrow morning if the appropriation bill is not concluded to-day. I mean to say that as far as I am concerned, I will not press the appropriation bill so as to exclude the Senator.

Mr. HANSBROUGH. To-morrow morning I will take the floor in my own right.

Mr. COCKRELL (to Mr. HANSBROUGH). Take it now in your own right.

Mr. HANSBROUGH. I will not take it now because the morning business is closed.

Mr. COCKRELL. No one will object if you ask unanimous consent.

Mr. HANSBROUGH. It has been suggested to me that I ask unanimous consent that the bill introduced by the Senator from Montana [Mr. GIBSON] be laid before the Senate.

Mr. STEWART. The appropriation bill to be temporarily laid aside?

Mr. HANSBROUGH. Yes.

Mr. BEVERIDGE. For the purpose of addressing the Senate?

Mr. HANSBROUGH. For the purpose of addressing the Senate.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that the bill (S. 5168) to repeal the desert-land act and the commutation provision of the homestead act be laid before the Senate, and that the District of Columbia appropriation bill be temporarily laid aside for that purpose. Is there objection?

Mr. TELLER. I suppose Senate bill 5168 is to be laid before the Senate so that the Senator from North Dakota may make some remarks.

Mr. HANSBROUGH. Yes; that is the purpose.

The PRESIDENT pro tempore. The Chair so understands.

#### REPEAL OF DESERT-LAND ACT, ETC.

The PRESIDENT pro tempore. The bill (S. 5168) to repeal the desert-land act and the commutation provision of the homestead act is before the Senate.

Mr. HANSBROUGH. Mr. President, representing, as I do in part, a public-land State—one of the largest public-land States in the Union—I do not feel that I should allow the statement, or some of the statements at least, made yesterday by the Senator from Montana [Mr. GIBSON] to pass unchallenged.

There is no disagreement between the Senator from Montana and those who believe with him and myself as to the necessity for the repeal of the timber and stone act. There has been no disagreement between us on that point, except that the Senator proposed to repeal the timber and stone act without substituting anything for it or without putting in its stead some provision under which the timber on Government land might be disposed of.

Finally, the Committee on Public Lands reached an agreement as to this particular phase of the question, and reported a bill to the Senate providing for the repeal of the timber-and-stone act and inserting a provision under which the Secretary of the Interior has the authority to sell the right to cut and dispose of the timber on Government lands. That bill passed the Senate by unanimous consent one morning recently, without any debate whatever. So, as respects the question of the timber-and-stone act, I am in accord with the Senator from Montana. I think the act should be repealed.

Nor is there any dispute between the Senator and myself in regard to the desirability of doing away with what are known as the forest-reserve selection rights, sometimes called forest-reserve script. We are in accord on that question. For my part, I think it was a great mistake to have put on the statute books a provision under which an entryman within a forest reserve could take a selection outside of a forest reserve after he had denuded the land he had originally occupied within the reserve of its timber, thus allowing him to go outside of the reserve and take a piece of land that was heavily timbered.

Thus far, Mr. President, the Senator from Montana and myself are in agreement, or in practical agreement. But, Mr. President, on the question of the repeal of the desert-land act and the commutation clause of the homestead law the Senator and myself are apparently wide apart. I can not speak particularly in regard



to the desert-land act, because that law is but little used in the State I have the honor in part to represent here. The land law which is most in use in North Dakota is the commutation clause of the homestead law.

But, Mr. President, before referring, especially to the commutation law, I wish to say that in my judgment, whatever may have been the history of the entries made under the desert-land act in the earlier years, at the present time in Wyoming, parts of Colorado, the southern part of Idaho, and in other arid sections the desert-land act is the only law under which irrigation by private enterprise can be successfully pursued.

The Senate will understand at once that it would be almost impossible for a homesteader, who is required under the homestead law to reside five years upon his land, to take 160 acres under that law and be required to put water upon it, because he must be allowed to live on his land for the purpose of earning money with which to pay the expense of conducting the water to the land. But under the homestead law he can not go away from the land. He must be a constant resident there for five years. So that I say in my judgment the desert-land act is absolutely necessary for irrigation through private enterprise.

Mr. STEWART. If the Senator will allow me, I wish to ask him a question.

Mr. HANSBROUGH. I yield.

Mr. STEWART. Is it possible for him to go on under the homestead law and stay there with no water on the land?

Mr. HANSBROUGH. No; it is not.

Mr. STEWART. It is impossible; he could not live there.

Mr. HANSBROUGH. Certainly not; there would be nothing there for him to live upon.

Mr. STEWART. He would probably have no water to drink.

Mr. HANSBROUGH. So much for the desert-land act.

Mr. BACON. I hope the Senator will explain to those of us who do not understand the situation his response to the inquiry of the Senator from Nevada as to why that is true.

Mr. HANSBROUGH. The Senator from Nevada asked me if it was possible for a man to reside upon 160 acres of land constantly in the arid region without irrigation. I answered the Senator that it was not, of course.

Mr. BACON. I did not understand the inquiry, or I would have known the reason of the reply.

Mr. HANSBROUGH. Now, Mr. President, the Senator from Montana, for whom I have very great admiration on account of his very sturdy qualities and his great persistency, desires to repeal all the land laws except the original homestead law. There was a time when the original homestead law afforded ample opportunity for the then very small number of settlers who desired to go upon the public domain—to go there and make homes under that statute. Forty or fifty years ago a settler would take 160 acres of land, and about all he wanted was a comfortable log house, a good coon dog, and a squirrel rifle, and he was willing to stay there five or any number of years before securing title. But, Mr. President, times have changed; conditions are different. The man who goes upon the public domain to-day wants a white frame house and a big red barn, four horses and a gang plow. That is the difference.

If the settler is required to reside upon the land five years without having the opportunity of borrowing a cent of money, because he has no title to his land and therefore he can give no security, and should meet with misfortunes, as most of the settlers do, such as fire, sickness, loss of crops, etc., what would become of the five-year settler? Why, Mr. President, he would be obliged to abandon his land. That has been the history of public land settlements in the West.

So Congress in its wisdom many years ago enacted what is known as the commutation clause, which permits a settler at the end of fourteen months' residence upon his land to make final proof, pay the Government \$200 for the 160 acres, secure title, and thus he is at liberty to do as he pleases with his property.

Mr. GIBSON. Will the Senator from North Dakota allow me to interrupt him?

Mr. HANSBROUGH. Certainly.

Mr. GIBSON. I should like to ask the Senator if he is aware of the fact that for ten years after North Dakota became an independent State the commutations there amounted to only 7½ per cent every year? For ten years from 1889 up to 1900 the commutations of homesteads in North Dakota were only 7½ per cent.

Mr. HANSBROUGH. Seven and one-half per cent of the total homestead entries?

Mr. GIBSON. Of the total homestead entries during that time.

Mr. HANSBROUGH. Very well.

Mr. GIBSON. Now, if the Senator will allow me a little further—

Mr. HANSBROUGH. Certainly.

Mr. GIBSON. From 1900 up to the end of the fiscal year 1903 the commutations increased very rapidly. Last year they

amounted to 60 per cent of the homestead final proofs. Sixty per cent were commuted. I wish to submit that those entries were made in the western portion of North Dakota upon lands similar in character to the lands of eastern Montana; that it is my belief that those lands have been entered largely in the interest of stock growers, and that this extraordinary increase of commutation has been in the interest of men who are taking up and getting control of large bodies of land. I can account for it on no other ground, and I should like to have the Senator explain it.

Mr. HANSBROUGH. I shall be very glad to do so.

Mr. President, I have not looked up the percentages to which the Senator from Montana refers. I went to what is now North Dakota in 1881. I have lived there ever since, and I think I know something about that State. I think I know something about the methods of settlement upon the public lands of that State. Whatever the Senator has evolved from the record in regard to percentages I do not think will outweigh the fact that the section of country to which he refers in the western part of North Dakota as being very similar to that in Montana is to-day covered by a very large population who have gone in there in the last four or five years to remain permanently.

I will say to the Senator that there is but very little stock raising in North Dakota as compared with Montana. In the extreme western edge of North Dakota there are a few stock ranges, but the settlement of public lands to which the Senator refers, lands on which the commutation privilege has been exercised, is not in the very extreme western portion of North Dakota, and those lands are unlike the lands in the Senator's State.

Mr. President, last spring, less than one year ago, I was in the section of country to which I allude, in what is known as the "Minot land district." I traveled over the railroads in that section for two or three days, and I saw for myself the exact situation. I found the country thickly populated, with a settler upon almost every quarter section of land.

I found, furthermore, Mr. President—and this is the essential point of this argument—that a quarter section of land in that region is worth from \$1,500 to \$2,000 the moment a man makes entry upon it; and if he does not comply with the law and make strict compliance therewith there will be some one there to contest his right; in other words, the land will be claimed, will be "jumped," to use a local expression. The Senator understands that.

The lands in Montana, which the Senator here claims have been pilfered from the Government, are not the class of lands to which I refer.

Mr. McCUMBER. Mr. President, will the Senator from North Dakota yield to me to state just one proposition, which, I think, will also answer the inquiry of the Senator from Montana [Mr. GIBSON]?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to his colleague?

Mr. HANSBROUGH. I yield to my colleague.

Mr. McCUMBER. I wish to state, in addition to what my colleague has just said, that from 1880 until the repeal of the timber-culture act and the preemption act there were three entries allowed to every man. So the system in our State was for a man to first take a preemption. He could commute that in six months, he could borrow enough money upon that and transfer it, and then take his homestead. The money that he got out of his preemption was sufficient to enable him to erect his buildings upon his homestead, and to open it. As soon as we repealed that law that took away the opportunity of borrowing money upon pre-empted land, and compelled the preemptor, if he wanted to improve his homestead, to borrow upon the homestead.

I think that accounts to a great extent for the fact that, since the repeal of the preemption law, there have been double or treble the amount of commuted homestead entries, and upon the same line that has been argued by my colleague.

Mr. HANSBROUGH. Undoubtedly; because it was not necessary to use the commutation law while the preemption law was in force.

But, Mr. President, to revert again to the question of entries, my friend from Montana throughout his speech has not been very particular to exhaust the subject, unless he could make his point so as to convince those who listened to him that the repeal of these laws was absolutely necessary. The Senator's speech was very much like a lot of material which I have been reading in a publication coming to me, purporting to be the organ of what is known as the National Irrigation Association; but I will refer to that a little later.

Mr. President, I say that the conditions have changed to such an extent as to make it absolutely necessary that we should have something upon the statute book similar to the commutation law, because a man does not at this time desire to live upon a piece of land for five years when his neighbor, who has preceded him and been able to make proof on that land and secure a patent, has had the opportunity of borrowing money to construct houses, to buy teams and farming implements, to clothe his children, to pay his



bills, and to live as an American citizen ought to live—the difference, it seems to me, must be very apparent to all those who have studied the question.

Again, the average settler who goes upon a homestead is a poor man. It is a very rare thing that a man who goes upon the public domain has any money; otherwise he probably would not go there. It is a kind of last resort for him. When he goes there, if he is without means, what sort of a situation is it for him if he is required to live five years there without having the opportunity of borrowing money? Suppose the first year he has sickness in his family, which is very likely to happen, or the second year there is a loss of crop, or some of his stock is lost, is either burned by prairie fires or dies from disease—there is a whole train of misfortunes, Mr. President, that may overtake the homesteader, and generally they do overtake him.

It was for that reason, Mr. President, that Congress enacted the commutation law. In my judgment, it was not only a very wise enactment, but it was an act of mercy to the western settlers. It is that law which my friend from Montana would wipe from the statute book at the present time. What object has a man in paying \$200 for 160 acres of land if he can get land for nothing? Why would he go in debt? Why would he borrow money? His purpose is, Mr. President, not only to borrow the \$200 to pay the Government, but to borrow four or five or six hundred dollars additional with which to improve his farm and start in business. That is his purpose. He does not commute his land in order to defraud the Government; he commutes it because he wants to build up his home, and he pays a premium of \$200 to the Government for that privilege, and the receipts in the General Land Office here from the sales of land will show to what extent the commutation law has been availed of.

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

Mr. HANSBROUGH. Certainly.

Mr. FULTON. I ask the Senator if he recalls what is the percentage throughout all the public-land States where the commutation clause has been taken advantage of? Before I conclude my question I will say that, as I myself recall, the Commissioner of the General Land Office states that it is about 15 per cent—not to exceed 15 per cent. I am not quite certain about it, however.

Mr. HANSBROUGH. Mr. President, I think it will fall very far below that figure. I have been myself making some calculations on that branch of the question, and I think it is much less than 15 per cent, taking all the public-land States and Territories into consideration.

Mr. President, one would suppose in listening to the Senator from Montana when he gave us, as he did yesterday, those large volumes of figures, in blocks of hundreds of millions, that all the

public domain had been taken under the commutation clause of the homestead law, the desert-land act, and the timber and stone act. It seems to me that the Senator ought to be advised as to what amount of lands have been filed upon or have been proved up under these several laws. I have before me here a table, compiled in the General Land Office at my special request some time ago, and from that table I find that in the last twenty-two years over 200,000,000 acres of the public domain have passed to private ownership; that is, up to June 30, 1903. I have the figures here before me, and will later ask to insert them in my remarks.

Of that 200,000,000 acres only 30,000,000 acres have passed to private ownership under the three laws which the Senator from Montana would repeal. It seems to me that this is a very important matter to be considered.

Mr. TELLER. How much did the Senator say?

Mr. HANSBROUGH. About 30,000,000 acres have passed to private ownership under the commutation law, the desert-land act, and the timber and stone act in twenty-two years up to the 30th of last June.

Mr. FOSTER of Washington. What did the Senator say was the total amount that passed into private ownership?

Mr. HANSBROUGH. About 200,000,000 acres of land have passed into private ownership under all the land laws. Now, let us see. The total amount under the timber and stone act in twenty-two years was about 8,000,000 acres; under the desert-land act in twenty-two years about three and three-fourths million acres; in twenty-two years, under the commutation clause of the homestead law, about 19,000,000 acres; under the final or the five-year homestead law, where the settler resides on his land for five years and secures title without paying anything to the Government, about 77,000,000 acres in twenty-two years. These are the principal land laws that are under consideration here and that are involved in this controversy.

Mr. President, during the same period patents have been issued to the several States under laws providing for State selections and providing for educational and public purposes about 13,000,000 acres in twenty-two years, and in the same period 67,000,000 acres have been patented to land-grant railroads; wagon-road grants patented, about one and one-half million acres, and under the swamp-land improvement act, about 14,000,000 acres.

So, Mr. President, we have almost as much public land passing into private hands and passing to the States under the swamp-land act as we have under the commutation law, but we hear nothing about frauds under the swamp-land act. I will ask to have the table to which I have referred inserted in my remarks.

The PRESIDENT pro tempore. The Chair hears no objection. The table referred to is as follows:

Statement showing the acreage of public lands of the various classes specified below disposed of between July 1, 1881, and June 30, 1903, inclusive, in the several States and Territories.

State or Territory	Timber and stone lands.	Final desert entries.	Commuted homesteads under sec. 2301, Revised Statutes.	Final homesteads.	State selections approved for educational and public purposes.	Railroad grants patented.	Wagon-road grants patented.	Swamp lands approved.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Alabama.....			211,963.00	3,424,593.55	136,958.29	107,140.63		17,722.96
Alaska.....				1,900.45				
Arizona.....	200.00	221,906.29	73,187.39	286,439.31	36,890.14	1,533,423.67		
Arkansas.....	29,938.92		123,695.29	4,015,708.18		204,717.65		62,085.43
California.....	1,951,412.04	202,417.66	829,732.69	3,861,693.60	532,899.34	4,574,454.48		410,618.00
Colorado.....	134,796.36	84,385.54	831,296.21	2,630,844.46	983,587.33	2,539,113.82		
Dakota Territory.....			3,279,172.08	4,447,599.70				
Florida.....	247.51		196,507.89	1,873,128.95	121,562.09	496,333.71		8,533,373.55
Idaho.....	329,512.37	446,048.83	206,462.27	1,675,628.41	585,743.20	656,269.70		
Illinois.....			160.00	881.01				3,752.62
Indiana.....				509.35				1,122.62
Iowa.....	39.46		6,449.24	69,621.35		80,184.32		15,407.23
Kansas.....			2,246,315.82	7,232,154.72	31,455.89	3,503,002.72		
Louisiana.....	34,635.57		164,828.28	1,789,611.15	1,086,989.47			663,932.65
Michigan.....	50,440.40		211,145.12	911,993.73		30,699.35		10,027.65
Minnesota.....	557,358.73		722,732.13	4,962,212.99	272,073.02	2,455,309.50		2,070,517.59
Mississippi.....			127,631.62	1,922,739.14	100,791.23	136,643.78		270,237.73
Missouri.....			28,408.11	2,190,434.37	12,343.00	4,238.64		44,344.35
Montana.....	171,976.83	1,284,431.26	383,120.77	1,573,776.74	961,621.16	6,611,082.73		
Nebraska.....			2,292,663.45	7,069,201.02	93,888.65	3,538,046.49		
Nevada.....	1,381.11	22,525.28	1,823.02	33,933.24	2,020,707.43	1,708,077.57		
New Mexico.....		175,251.55	109,831.01	936,136.18	831,164.31	409,819.69		
North Dakota.....	2,856.86	1,878.74	1,668,858.74	3,674,955.43	751,202.77	9,054,015.28		
Ohio.....			139.41	274.89				611.24
Oklahoma.....			1,074,465.73	6,070,949.00	292,371.03			
Oregon.....	1,447,472.27	90,356.25	529,695.00	2,940,670.73	453,928.35	2,964,710.89	1,179,139.96	340,506.55
South Dakota.....	8,313.16	400.00	396,450.63	3,533,931.91	810,449.73			
Utah.....	240.00	258,394.47	42,523.79	904,869.16	1,062,913.21	2,036,217.38		
Washington.....	1,295,041.55	33,642.21	777,618.99	3,737,278.51	767,243.73	7,970,101.93		
Wisconsin.....	51,483.27		204,180.60	1,406,143.60	964,777.61			213,068.62
Wyoming.....	101,637.76	811,669.68	142,455.28	745,983.94	1,015,646.70	5,435,473.32		
July 1, 1902, to June 30, 1903.....	6,160,044.17	3,693,307.76	16,882,488.57	73,910,849.76	12,008,833.52	58,040,909.34	1,179,139.96	12,657,359.79
	1,766,000.00	235,000.00	2,195,000.00	3,577,000.00	644,000.00	5,760,000.00	57,000.00	2,910,000.00
Total.....	7,965,044.17	3,958,307.76	19,077,488.57	77,487,849.76	12,652,833.52	63,800,909.34	1,236,139.96	15,567,359.79



Mr. HANSBROUGH. Mr. President, I do not want to delay the Senate on this question. There are other Senators who intend to make remarks on the bill, and I suppose the Senate will be prepared to discuss it. I want, however, before concluding, to call attention to the fact that for the past two or three years there has been an organization, with headquarters in the city of Washington, the purpose of that organization being to secure the repeal of these laws. I have been at some pains to inform myself in regard to the motives of the individuals who are connected with that organization. While it is very difficult, of course, to get accurate knowledge on the subject, I am satisfied that the purpose of their propaganda, their campaign for repeal, is to enhance the value of lands in private holdings and to advance the value of land scrip that is now held by a few people. I have not any doubt but that is their purpose.

Mr. President, I do not charge any member of this body with being interested in any manner whatever in that movement. On the contrary—

Mr. GIBSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. HANSBROUGH. I will yield in a moment. On the contrary, I do not believe that any Senator or any Member of the other House has any interest whatever in repealing these laws in that behalf for the purpose of putting up the value of the lands in private holdings and enhancing the value of land scrip; but it is carried on by people who are outside of the two Houses of Congress. I will say further that they have no connection whatever with any Senator or Member of the other House.

Now I will yield to the Senator.

Mr. GIBSON. Mr. President, I wish to ask the Senator if he is not aware that this effort to repeal the commutation clause of the homestead act and the desert-land act has been before the people for nearly twenty years; and is he not aware that the officials at the head of the Government, whose opportunities were of the very best to investigate land commutation, have recommended to Congress repeatedly and repeatedly the repeal of these land acts in the interest of the settlers?

Mr. HANSBROUGH. I am very glad the Senator has called my attention to that phase of the question. It is true, as the Senator says, that several Secretaries of the Interior and several Commissioners of the General Land Office have, in their annual reports, made recommendations in the direction of the repeal of some of these laws. There is no doubt about that. But, Mr. President, here is the important point in that connection: If we except the senior Senator from Colorado [Mr. TELLER], who was once Secretary of the Interior, we have not had a man in that office for a great many years—covering the entire period to which the Senator from Montana referred—who knew anything about the public-land system from practical experience. I make exception of the Senator from Colorado, because we all know here that he does understand the public-land question. He has lived in a public-land State for many years.

Mr. CLARK of Wyoming. Will the Senator from North Dakota yield to me to make a statement?

Mr. HANSBROUGH. Certainly.

Mr. CLARK of Wyoming. Calling attention to the query of the Senator from Montana [Mr. GIBSON], it is true that various Administrations at different times have recommended repeals or modifications of these laws. The Senator, however, is not ignorant of the fact that the last utterance upon this question of repeal has come within the last three or four weeks from the hands of a commission appointed especially for the purpose of investigating the land laws and their operation and to make report to the President. The President and the Secretary of the Interior have sent that report to Congress, and it does not follow out the lines of repeal theretofore recommended. It does suggest some modifications.

I hope that every Senator interested in this matter will send to the document room and get a copy of the report made by the commission to investigate the operation of the land laws under the present Administration within the last thirty days. I will say that this report, to my knowledge, was made after a careful examination not only of the laws, but of the conditions upon the ground and in the States where the land laws apply.

Mr. HANSBROUGH. Mr. President, I believe that the Secretary of the Interior should be not only a good lawyer, but that an additional requirement should be that he should have had some practical experience in the public-land States. Whenever we have had a man in the office of Secretary of the Interior of that character there has been no trouble, or very little trouble, about public-land matters.

Take, for instance, a Secretary of the Interior who comes to that office without such knowledge as I have suggested. He is absolutely without the practical experience or knowledge that he should have with respect to public lands. On whom does he rely

for that knowledge? On his inspectors and his general agents, who in many instances themselves know but little about the public lands in question. They go into a community; they are met in the little villages, hamlets, and cities; they are entertained and, to a considerable extent, are made much of.

I have known of my own personal knowledge cases where special agents and inspectors have reported upon land cases upon hearsay, the evidence—if you can call it evidence—being secured in the village or city where they stopped. They did not go upon the land at all; they did not consult the people who lived near the land.

It is upon such evidence that most of the Secretaries of the Interior since I have been in Congress have made their reports, which have been quoted so copiously here by the Senator from Montana [Mr. GIBSON] as an argument in favor of the repeal of these laws.

Mr. GIBSON. Mr. President—

The PRESIDING OFFICER (Mr. QUARLES in the chair). Does the Senator from North Dakota yield to the Senator from Montana?

Mr. HANSBROUGH. I yield.

Mr. GIBSON. I rise to answer briefly the remarks of the Senator from Wyoming [Mr. CLARK]. He calls the attention of the Senate—

Mr. HANSBROUGH. I hope the Senator will not undertake to inject a speech in the midst of what I am trying to say.

Mr. GIBSON. Just one word.

Mr. HANSBROUGH. The Senator was heard yesterday at great length and made a very interesting speech; but I will yield to the Senator for a question.

Mr. GIBSON. I will cut it down to a very few words.

Mr. HANSBROUGH. I yield to the Senator for a question.

Mr. GIBSON. I hope the Senator will read the report that has been prepared by the commission appointed by the President. I wish every Senator would read it, and read it carefully. I hold in my hand the report of the Secretary of the Interior delivered to the Senate at the commencement of this session of Congress, and if the Senator from North Dakota will allow me I will read about five lines of it and then stop.

Mr. HANSBROUGH. I yield for that purpose.

Mr. GIBSON. Here is what the Secretary of the Interior says:

The Commissioner of the General Land Office in his report calls attention to the fact that it is only in exceptional cases that the homesteader who has settled upon a tract of public land with the bona fide intention of making it his actual and permanent home finds it necessary to abandon it before the expiration of five years from the date of his settlement, and he recommends—

That is, the Commissioner of the Land Office recommends—

for reasons stated, the repeal of the timber and stone act and the commutation clause of the homestead act.

That is his last report.

Mr. HANSBROUGH. I am familiar with that recommendation, Mr. President.

Mr. GIBSON. But the Senate may not be.

Mr. SPOONER. Mr. President, will the Senator from North Dakota permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. HANSBROUGH. I yield.

Mr. SPOONER. Of course I heard what the Senator said about what should be the qualifications of the Secretary of the Interior—

Mr. HANSBROUGH. That is only my individual opinion.

Mr. SPOONER. Well, I used to be very strongly of that opinion myself; but I think we have never had a more efficient Secretary of the Interior than Cornelius N. Bliss.

Mr. HANSBROUGH. That is very true. He was a very efficient man, and had an unusual amount of good common sense.

Mr. SPOONER. He came from the city of New York, and he had no experience whatever in dealing with the public lands. I suppose it will hardly be challenged that Secretary Chandler was also a very efficient Secretary.

Mr. HANSBROUGH. That was before my time, and before the time of this agitation.

Mr. SPOONER. Well, the record is open and his reputation will settle that. He made an admirable Secretary of the Interior.

Mr. HOAR. If I may be allowed to say one word, the late Secretary Chandler, in my opinion, was one of the greatest executive officers we have had since the organization of the Government.

Mr. HANSBROUGH. That is true also in regard to Secretary Bliss. He was a great executive officer, and he could weigh with expert skill the conflicting reports that came to him. He never became hysterical over alleged land frauds.

Mr. SPOONER. I agree with the Senator. By referring to these two gentlemen I do not wish to be considered as agreeing that the present Secretary of the Interior is their inferior. But



what I rose to ask the Senator was this: The Commissioner of the General Land Office, it seems, recommends—

Mr. CLARK of Wyoming. If the Senator will allow me, I call the attention of the Senator from Montana [Mr. GIBSON] to the statement which I am about to make. The Secretary of the Interior, as I understand it, in his report which was read here, says that the Commissioner of the General Land Office approves this repeal. I have hunted in vain, page by page and line by line, through the report made by the Commissioner of the General Land Office to the Secretary of the Interior to find any such recommendation as the Secretary says was made by the Commissioner of the General Land Office. I suppose it must be a mistake in the printing or a mistake in the reference. At any rate, I have been unable to find in the report of the Commissioner of the General Land Office to the Secretary of the Interior any such recommendation, and if any such report can be pointed to I should be very glad to hear it for my own information.

Mr. HANSBROUGH. Not only that, Mr. President, but I have in my hand here the most recent utterance on the public-land question from an executive officer, or rather from three executive officers, who form the Commission appointed by the President of the United States. The Commission was appointed by the President and was headed by the Commissioner of the General Land Office, Governor Richards, who is a most practical man, having a wide range of knowledge on these questions. The Commission has this to say on the subject of the commutation law:

Much evidence has been submitted tending to show that in the prairie States, where it has been most used, the commutation clause of the homestead act has been of advantage to the settler without causing serious loss to the Government. On the contrary, the Government has been peculiarly benefited by it, because under this act the land is paid for in cash after fourteen months' residence, while without commutation the entryman would receive a patent after five years' residence without paying for the land. It is no doubt true that the great majority of commutations are made in order to get a title to the land upon which money could be borrowed for its improvement.

That is the most recent utterance on the commutation law by any executive officer or body, and, to my mind, it is the most sensible utterance for many years.

Mr. GAMBLE. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Dakota?

Mr. HANSBROUGH. I yield to the Senator.

Mr. GAMBLE. I have in my hand Document No. 130, Fifty-seventh Congress, second session. It is a communication from the Secretary of the Interior, dated January 5, 1903, to the chairman of the Committee on Public Lands of the Senate in response to an inquiry concerning this legislation. I observe on page 10 in that document a table headed:

Commuted homestead and desert-land entries investigated by special agents and canceled on their reports between June 30, 1892, and June 30, 1902, on grounds of entrymen's fraudulent speculative intent.

The table covers a period of ten years, and it appears from it that the number of cases investigated was 132.

Mr. HANSBROUGH. In all the public-land States.

Mr. GAMBLE. In all the public-land States on commutations.

Mr. HANSBROUGH. And that covers a period of ten years.

Mr. GAMBLE. Only thirty-one of those investigated were canceled. So it seems to me that the wholesale charge made is not borne out by the facts, if we are to rely upon the statement that is submitted. And I would call the attention of the Senator from North Dakota to the further recital in the same communication:

These tables—

After a number of them have been given in this report—

These tables will show that the number of commuted homestead entries attacked during that period was less than seven-tenths of 1 per cent of the number of entries made during that period; that of the 210 attacks on entries of this class, only forty, or about 19 per cent thereof, resulted in the cancellation of the entries; while the entries canceled were about one-tenth of 1 per cent of the number of entries of that class made during that period.

A period which covers ten years. I am sorry to have interrupted the distinguished Senator. I do not pretend to be familiar with the land laws, the timber and stone act, or the desert-land law, but I do pretend to have some knowledge of the situation so far as my State is concerned, and I think, from my experience in the State on the commutation feature of the homestead law, that the charges made have been very much exaggerated.

Mr. GIBSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. HANSBROUGH. I prefer not to yield. I should like to go on.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. HANSBROUGH. Mr. President, I was aware of the document to which the Senator from South Dakota has called my attention and proposed to refer to it later on. However, I am very

glad the Senator called my attention to it, as it will save me the trouble, because he has stated it much better than I could. It is a communication addressed to me as chairman of the Committee on Public Lands in answer to a letter of inquiry.

Before leaving the question to which the Senator from Montana called my attention, in regard to reports by various Secretaries of the Interior, I desire to say that I do not wish to be understood as reflecting in the slightest particular upon any gentleman who has held that position at any time. I am very particular about matters of this kind, and I especially do not wish to be understood as reflecting upon the present incumbent, against whom we have all heard a great many complaints. But as to these complaints, as in cases of complaints in other directions, I have reached the conclusion that perhaps a great many of them are unfounded.

Mr. STEWART. Most of them.

Mr. HANSBROUGH. Most of them; and the same rule will apply, I think, to the outcry in certain quarters against the commutation clause of the homestead law.

But I want to say on this subject—and I insist upon the position I have taken with respect to the qualification of a man to fill that office—that he should be not only a good lawyer, but should also have had some practical experience as respects the public domain. You might as well expect a judge sitting on the bench to decide a case upon the arguments of the attorneys who come before him, being himself deficient in the knowledge of the law or not having any knowledge of the law, as to expect a Secretary of the Interior or any other Secretary to decide a question without some practical knowledge of the facts.

Mr. President, referring briefly, if I may be allowed, to this propaganda, if I may call it such, which has been inaugurated here within the last few years for the repeal of these land laws, on investigation it seems to me I have found that the motive of the men behind the movement is to increase the value of lands in private holding. I found on investigation that one of the individuals chiefly responsible for the agitation in favor of the repeal of these laws has been receiving what might be termed a "princely salary" for the last six years from the land-grant railroads of this country. I find on further investigation that a great syndicate, out on the Union Pacific road, has purchased a large body of land in recent years at about 70 cents an acre.

Mr. TELLER. How much?

Mr. HANSBROUGH. About 70 cents an acre.

Mr. TELLER. That is right.

Mr. HANSBROUGH. And the managers of that syndicate have been here in the city of Washington conferring with gentlemen outside of this Chamber who are interested in repealing these laws, with a view to having them repealed.

I find further, Mr. President, that some of the great lumber-manufacturing establishments of the country—corporations, syndicates, and individuals—who own large tracts of land, however they may have been acquired, have been in favor of the repeal of the timber and stone act and did not want anything put in in its place. What they wanted to do was to stop these little private sawmill enterprises, and they are very numerous in three or four of the Western timber States, with a view, of course, of putting up the price of the lumber and of timber in their hands.

So, Mr. President, when Senators come here and talk about syndicates, and cattle thieves, and land barons, and corporations, and when the people responsible for this agitation outside of this body talk about Senators and Members being the agents of these institutions—these land barons and cattle thieves, etc.—I think it is no more than fair that attention should be called to other syndicates in other directions, which are interested in the repeal of these laws. I make no reflection upon any member of this body nor upon any Member of the House of Representatives.

Mr. McCUMBER. I should like to ask my colleague one question, and that is if he knows of any syndicate which has been formed in the United States to take up agricultural lands for the purpose of farming them? Is it not a fact that the agricultural interest is the only interest that is not under or inviting the attention of any syndicate?

Mr. HANSBROUGH. My colleague is absolutely correct in that statement.

Mr. President, if the syndicates referred to by my friend the Senator from Montana existed at all, I think I would know something about them so far as concerns the State of North Dakota. There are no such syndicates there. There are no corporations there acquiring land in large bodies, as the Senator suggested. If it were true that syndicates and corporations are acquiring those lands under the commutation clause of the homestead law, I ask the Senator how it is that the population of the State of North Dakota has increased from about 40,000 in 1882 to over a half million people at the present time?

I will tell you, Mr. President, how the population of North



Dakota increases and how it has increased. Every man who goes there, or nearly so, does so with the view of making a home on the public domain, and he remains there. He makes that his home. That is why the population of North Dakota has increased from 40,000 to 500,000 in a little more than twenty years, and that answers, it seems to me, the contention of the Senator from Montana as respects any of the States that have increased rapidly in population and which are in what is known as the "humid belt" of the country.

Mr. President, I have not any doubt that out in the State of Montana on some of the arid lands there—and most of the State is arid—the cattle rangers have taken advantage of these laws to secure additional quarter sections in order to round out their grazing lands or to acquire a piece of land on a stream in order to secure water for their stock. I have not any doubt that something of that kind has occurred there. But if the land so acquired was worth anything, there is not any doubt that there would be somebody to contest the right of any man who took the land in that way and had failed to comply with the law.

I can understand that as to the arid lands in Montana and in other States, lands that lie up far above the water line, where they never can put water upon them and convert them to agricultural uses, where there is no population, there is no one to contest the entry of a man who goes upon the public domain or of a man who takes 160 acres of land in that locality. And I say further to the Senator, it is just as easy for the stockmen under these circumstances to violate the original five-year homestead law as it is for him to violate the commutation law. Indeed, it is a little easier for him to do it, and it costs him far less. And I can very well understand how a big ranger, in order to get a few quarter sections of land, could locate his cowboys upon different quarters and let them make a filing and make their homes or assume to make their homes there—and who would know whether they complied with the law or not? They are about the only people in that community. The land is worthless. There is nobody to contest it or to see that they comply with the law. A special agent never goes there to inquire into the situation. I can well understand how that might occur, but it will occur under the original five-year homestead law just as easily as it will occur under the commutation law.

So far as residence and cultivation are concerned, there would be no question about residence and cultivation in a locality of that kind where the land is worthless, because there will be no one there to contest the right of the settler. Indeed, I doubt if he would be required to live on the land. I doubt if he would live on the land five years. I doubt if he would live there five days. He would build a little cabin and say, "That is my home," but he would live at the headquarters of the ranch. There is no one there to say nay; no one to contest. He gets his title at the end of five years, and then sells to the stockman if he chooses to do so. I can understand that such things may happen in Montana and other States in the arid section, but they could happen under the original five-year law just as easily as under the commutation law.

I do not know that I have anything further to say on this question at the present time. I assume that the bill will lie on the table and will be called up by other Senators, and that there will be further discussion upon it, and I also assume that it is the intention of the Senator from Montana at the proper time to have the bill go to the Committee on Public Lands, and if it should come back here it would again come up for discussion.

I wish to say, Mr. President, that in my judgment it would be utterly impossible to pass such an act at this session. Indeed, I doubt if any session of Congress in the next half a dozen years would consent to so sweeping a measure. The effect of the repeal of these laws would be to deprive a vast number of the people who are coming into this country now seeking homes of the opportunity of acquiring a home on the public domain except under the five-year homestead law, which, as I have undertaken to show, is somewhat antiquated and which is not calculated to serve the purpose of the class of people who are seeking to better their condition.

Another effect of the repeal of this law would be that the tide of immigration which is coming to this country would be turned into Canada—into the Northwest Territory—where the most flattering inducements are being offered to people to settle on public lands; and to-day the agents of the Canadian government are in this country soliciting such immigration. I met one of these agents about a year ago in St. Paul, and he asked me particularly about the repeal of these laws. He did not say he was hopeful they would be repealed, but what are we to infer from his question? Of course he would like to have the land laws of the United States repealed, because he would be glad to see it made more difficult for the settler to acquire a home in the United States, inasmuch as that would turn him to Canadian territory, along

the proposed new line of road which is to be built in that section by the Dominion government.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota that this bill may still lie on the table? The Chair hears no objection, and it is so ordered.

Mr. ALLISON, Mr. NEWLANDS, and Mr. DUBOIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. NEWLANDS, Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. NEWLANDS. I wish to obtain recognition for a few minutes to address myself to the pending bill.

Mr. ALLISON. The Senator from Nevada desires to speak for a few moments upon the question which has been under discussion by the Senator from North Dakota. Of course I do not wish to interfere with a brief discussion of that matter, but I do not want to yield to many this morning upon the subject. I yield for a few moments to the Senator from Nevada, and then I hope Senators will allow the District of Columbia appropriation bill to be proceeded with. I will yield later and at some other time to the Senator from Idaho if he wishes to speak upon the subject, but I should like to make a little progress with the appropriation bill this morning.

Mr. NEWLANDS. I thank the Senator from Iowa for his courtesy, and I shall certainly be very brief.

Mr. President, I am very solicitous that nothing shall be done regarding our land laws that will retard the development of the West, and I am also solicitous that there should be no such administration of those laws as will result in the concentration of large areas of land in single ownership, for I can imagine nothing that will retard the development of the West so effectively as such a condition of things.

I realize the fact that the United States has, to say the least, been careless in its administration of this great asset, the public domain. This has been due to the fact that we had but few people and a very large area of land, and hence the care has not been exercised in the past which should have been observed in the preservation of this domain for home builders.

We have been careless in our grants of land—in our grants of land to the States—without proper restraints and limitations as to home building. We have been careless in our grants to the great railroad systems of the country. We have allowed, as the result of our carelessness, in certain States of the West a system of land monopoly to grow up, which has been effectually retarding the development of the West.

Mr. DUBOIS. May I interrupt the Senator from Nevada?

Mr. NEWLANDS. Certainly.

Mr. DUBOIS. We may possibly have been careless in regard to land grants to the States in the early days, but that, certainly, does not apply to the new States, because no land was granted to any of our new States without the express condition that not an acre should be sold for less than \$10 an acre.

Mr. NEWLANDS. I will say to the Senator from Idaho that I was simply referring generally to the history of our legislation. I have no charges of fraud to make regarding the administration of the land laws. I simply assert that in the past our administration of them has been a careless one. It has only been of late years that the attention of this country has been called to the subject and a propaganda has been made which has resulted already in very efficient revision of the land laws, and which, I trust, will result in more.

Mr. TELLER. I should like to ask the Senator when this efficient revision took place—how recently? I am not aware, as a member of this body, that there has been any material change in the land laws for a good many years.

Mr. NEWLANDS. I will state to the Senator from Colorado that I hold the floor by the indulgence of the Senator from Iowa, and I do not wish to extend the period of my remarks. But if the Senator will hear me through I think I will cover that question.

Mr. TELLER. I will give the Senator a week in which to get ready to tell me.

Mr. NEWLANDS. I will cover that question now. I will state briefly in reply to the Senator from Colorado that I regard the irrigation act as a distinct step in the line of the revision of the land laws, for under the irrigation act the commutation clause does not apply, and the very purpose of that act is to promote and secure home building in this country.

I will also state, in reply to the Senator from Colorado, since he challenges me to give him the information, that we have recently reported from the Public Lands Committee of the Senate a bill absolutely withdrawing timber lands from sale.

Mr. TELLER. I did not ask the Senator what he had done or what the committee had done. I asked what Congress had done.

Mr. NEWLANDS. I simply say that in addition to the irriga-



tion act steps are being taken in the line of the revision of these land laws, and I think that important action has already been taken in the line of reform, and I have no doubt that other reforms are in progress.

Mr. FULTON. Did I understand the Senator from Nevada to say that a bill had been reported which absolutely withdrew timber lands from entry: that is, doing away with any provision for entering timber lands?

Mr. NEWLANDS. Not at all. I was about to complete that statement when I was interrupted by the Senator from Colorado. The bill reported repeals the law providing for the sale of timber lands, and as a substitute for it the timber is to be sold by the Government of the United States, the proceeds being paid into the irrigation fund, and the land itself is to be subject to homestead entry without commutation, and I call that a step in the line of reform, for the—

Mr. FULTON. I think the Senator is mistaken about the commutation clause.

Mr. NEWLANDS. That is my recollection.

Mr. FULTON. That only applies, as I recall the bill which was reported, to lands which are homesteaded within forest reserves. There is a bill pending, but whether it has been reported or not I do not know, which authorizes agricultural land in forest reserves to be entered under the homestead act, and to such entries the commutation clause does not apply. If the commutation clause does not apply to the bill which was reported and passed the Senate, I was mistaken in regard to its terms.

Mr. NEWLANDS. The bill to which the Senator refers was not only reported to but was passed by the Senate a few days since, and it contains the provisions to which I have referred. The effect of this bill will be to stop the concentration of our timber lands in the great syndicates and corporations that have acquired such vast areas during the past.

Now, Mr. President, I have stated that we have been careless in the administration of this great asset of the Government and that of recent years an agitation has arisen for reform upon the subject, and steps have already been taken in the line of reform. That carelessness has all arisen from the fact, as I have stated, that the population of the country was small and that the area of its lands was very large, and hence under the existing conditions it was not a matter that aroused very serious attention.

But if we look back to history we find that monopoly of land has been the cause of many of the serious wars and revolutions of the world. We all know that in France prior to the Revolution one-third of the land was held by the nobility, one-third by the church, and another third, the poorer third, was held by the common people, and that the taxes of the entire country were imposed upon the poorer third. The result was the French Revolution, and one of the consequences of that upheaval was a readjustment of the landed system of France. So to-day they have peasant proprietorship, the ownership of the land in small tracts, which are constantly being divided and subdivided, and we find in that country the most important economic development since that period which has occurred on the continent of Europe.

We also know that the long protracted agitation in Ireland arose from the land system. The land in Ireland has been held by English landlords in large tracts, and the people of Ireland have been tenants. The country became overpopulated, the price of farm products fell, and the result has been a land agitation which has lasted for years, and which has cost England millions of money and many lives, and finally England has been compelled to practically take away the land from the landlords and turn it over to the tenants under the purchase act which was recently passed. And there a system of peasant proprietorship is gradually being inaugurated under this law which is the outcome of persistent agitation and revolt, varied occasionally by bloody strife, for a long period.

So also in the Philippine Islands. The contest there was not so much against the dominion of Spain as it was for a reform of the land system. The rich and fertile lands in Luzon had fallen into the possession of the church, and the Tagals were simply tenants of the church, and the agitation and revolution which existed there had its source in the monopoly of the best lands by the friars. Our Government has been compelled to correct this by providing for the purchase of those lands for the sum of \$7,000,000 and for their division amongst the Philippine people.

So it was in the countries of South America and Central America and in Mexico under Spanish dominion. The church came into possession of large areas of land, and the agitation against the church arose in almost all those countries. The church is no longer a state institution in many of them. Why? Not because those people were not devoted to the Catholic Church, for they remained its adherents, but they simply made war against this land system, the system of land monopoly which had gradually concentrated the lands of these countries in the hands of the

church, and they broke it up and took away the lands from the church.

Now, in this country land monopoly has not become a serious evil simply because we have such a large area of country over which our people can spread. But when population increases it will be a serious question unless we carefully guard the future. As the result of loose laws and careless administration, large areas of timber land, large areas of agricultural land, in the Pacific coast and mountain States have fallen into the hands of individual proprietors.

In California itself, as a result of the old land-grant system of Mexico, all the best lands of the State were concentrated in such ownership in ranches of from 50,000 to 500,000 acres. I do not think there is a man who has lived in California for years who has not realized that that concentration of land has prevented the proper development of the State.

In addition to that concentration, there has been another form of concentration going on in the great San Joaquin and Sacramento valleys of that State. Under the early land laws of this country, which provided for the sales of land in large quantities and under grants made by Congress to the State, the State being eager to sell the lands in order to provide for its school fund, a concentration has taken place in the San Joaquin and Sacramento valleys similar to these Spanish land grants, and the same thing has happened in the mountain States generally.

As it was essential in the early stages of the development of the cattle industry that the owners of cattle should conduct their operations upon a large scale, should have large areas of land over which to graze their cattle, large concentrations of land have taken place there, and under existing conditions, as there was no law permitting the acquisition of lands directly from the Government in large tracts or permitting the leasing of these lands, they have been compelled for the protection of their interests to go along the streams and the tributary streams and take up the lands which control the water, and in doing this they have made use not only of the railroad grants and the State grants but also of the desert-land act and the homestead law, parties in their interest making the entries and thus securing title. The commutation clause of the homestead act has been serviceable to them, for under it the entryman, instead of living on his entry for five years and thus acquiring title without cost, can secure title after living on the land for fourteen months by paying \$1.25 per acre, and then he can make title immediately to the man in whose interest he has made the entry.

Now, I have always had a tolerant view of the action of these men, who have yielded simply to the necessities of the conditions in the development of an industry that necessarily was conducted upon a large scale. All I can say is that the concentration of these large areas of land necessarily retard the population development of a State. They constitute simply one era in the development of a State; but a subsequent era is desirable and which ought to be marked by an increase of small homes.

Unfortunately, many of them do not realize this fact. They yield very reluctantly to this movement of the settlers; they embarrass it and retard it in every way possible, for they fear the breaking up of their large cattle and sheep ranges.

So when we came to the national irrigation act we not only provided for the reclamation of Government lands but we also realized that intermingling with the Government lands and adjacent to them were large areas of land held in private ownership, and that the development of the country required that those lands should have water just as much as the lands in Government ownership. What we wished to avoid was storing water and distributing it for the advantage of large land owners, and what did we provide? We provided in that act that wherever land was in private ownership the owner of the land could obtain water for only 160 acres.

The result is, that when the distributive system of water is brought in reach of a great area of land the very fact that the water can be secured adds value to the land. The owner of the land finds that he can not water the land himself, because he can only secure a water right for 160 acres. He is therefore induced by self-interest to divide up his land and sell it to actual settlers; and the Government in those instances will grant to each settler a water right for only 160 acres, and compel the gradual repayment of its cost. So the very policy of the Government, as shown in that act, is in the line of breaking up the existing system of land monopoly and of land concentration in that region. Then we guard against future monopoly of Government lands under the irrigation act by allowing entry only under the homestead act, without commutation, thus compelling five years' bona fide residence and cultivation before title can be secured. The land monopolist can not easily twist such an act to his purpose.

Now, we have made another step in the line of progress by the report to and passage in the Senate of the bill to which I have re-



ferred—repealing the timber act—and I trust that that act will be passed by the House. There are two acts which remain—the desert-land act and the homestead law. I am of the opinion that so far as the settlement of the future is concerned the homestead law is sufficient. Its very purpose is to create homes. The man who enters land under the homestead law must live upon it for five years and create a home before he can get title; and whilst in many cases it is very convenient for the homesteader to commute at the end of fourteen months by paying a dollar and a quarter an acre for his land, \$200 for a quarter section, and getting title, yet in many cases that commutation clause furnishes the machinery by which the man who desires either to maintain an existing concentration of land or who wishes to create one by selecting land upon the various streams and tributaries and thus controlling the public domain around it can carry out his purpose.

So far as I am concerned, I do not wish to take from the home builder any existing method of acquiring a home, but I do wish to prevent men, under the guise of home building, from securing lands which they can turn over to those who desire to concentrate lands in large holdings, when those large holdings practically retard the development of the West and will create an agitation for land reform, such as other countries have witnessed. And so I favor the repeal or the modification of the commutation clause of the homestead act.

So it is with the desert-land act. We originally allowed 640 acres to be entered under the desert-land act, and we have cut that down now to 320 acres, and we require strict proof as to reclamation, etc. I am told by those who seem to be informed on the subject, though I have no personal information myself, that that law has been often evaded, that title has been secured where no actual reclamation has been made, that you will now find large areas of land to which title has been secured under the desert-land act over which ditches have been run ostensibly for the purpose of reclaiming the land, and the ditches are absolutely empty.

Mr. TELLER. I wish the Senator would give us the details where that occurs, so that we might investigate if we should so desire.

Mr. NEWLANDS. I stated that I had no personal knowledge on the subject, but I have heard this statement from many who had the sources of information, and I believe it to be the fact in a great many cases. I doubt whether it is a fact in a very great degree in the State of Colorado, and I do not believe that so far as the State of North Dakota is concerned there has been much evasion of the homestead law. But I believe there has been in the mountain regions, wherever there has been a temptation or an inducement to concentrate these lands in very large holdings for the cattle industry.

Now, so far as the desert-land act is concerned, remember it was passed before the national irrigation act had been passed. It covers practically the same ground. Its purpose was to enable private parties to reclaim desert land.

Under the national irrigation act the Government is going to do that work, and it is going to do it on a very large and comprehensive scale, and where private enterprise will take hold simply of the smaller project, the execution of which might afterwards block the greater project, the Government proposes to inaugurate the greater project and thus include smaller projects.

It seems to me that a comprehensive system of reclaiming the desert lands requires that the United States should be untrammelled in its efforts in this direction, and an intelligent execution of the irrigation act will result in the absolute prevention of land monopoly.

The Geological Survey is proceeding with a very large force of men in all the arid and semiarid States and is working out these engineering problems with a view to the greatest possible development of the West, and I fear that private enterprise under the desert act will simply retard that development instead of advancing it. The fund provided for by that act is ample and is growing every day; and I have no doubt that without further legislation that act will accomplish all that was intended in aiding home building.

I see that the Senator from Iowa is impatient to go on with the appropriation bill. I believe I have already taken up much more time than I ought, so I will yield the floor.

Mr. NEWLANDS subsequently said: I wish to ask unanimous consent to insert in my remarks of to-day on the public-land laws certain remarks made in the recent Utah irrigation congress upon State cooperation in national irrigation.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that he may insert in his speech of to-day certain remarks made at the Utah irrigation congress upon State cooperation in irrigation.

Mr. WARREN. May I ask what portion of the remarks made before the Utah convention the Senator proposes to insert—those made by himself?

Mr. NEWLANDS. Simply those made by myself in reference to a statute that is intended to secure cooperation between the States and the National Government on the subject of irrigation. I will say to the Senator that there has been a great deal of inquiry for those remarks and for the Nevada statute passed in aid of such cooperation, which is an appendix thereto. It is intended to be suggestive to other State legislatures in the arid and semiarid region.

Mr. WARREN. I have no objection to the insertion of such remarks as the Senator desires from those he made at the Utah convention, and I presume at a later date others may wish to draw from remarks made by others in the same way as the Senator now proposes.

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

Mr. ALLISON. I think, as a rule, we are inserting in the RECORD too many things that are said elsewhere. But I have no objection, of course, to the suggestion of the Senator that a portion of his own remarks made in another place be inserted in the RECORD.

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

The matter referred to is as follows:

#### STATE COOPERATION IN NATIONAL IRRIGATION.

[Address of Hon. FRANCIS G. NEWLANDS, of Nevada, at National Irrigation Congress, Ogden, Utah, September 18, 1903.]

MR. PRESIDENT AND GENTLEMEN OF THE ELEVENTH NATIONAL IRRIGATION CONGRESS: It gives me great pleasure to attend a meeting of the irrigation congress in the State of Utah. Eleven years ago, in common with many whose faces I see about me, I attended the first session of the irrigation congress in the Territory of Utah; and we there received the inspiration which through ten years of temporary discouragement and continuous effort sustained us, until we finally placed upon the statute book of the United States an act, not simply providing an appropriation for an individual project, the whole force and strength of the movement to be stayed until the success of that project was demonstrated, but a general and comprehensive law, operating through all time, so long as an acre of land capable of irrigation remained unreclaimed; providing an ample fund for the present and the future, depending in the future upon none of the accidents of legislation or caprice of public policy—a statute which had as its essential spirit and motive home-building, limitation of entry to the amount of land necessary for and capable of supporting a family, and the protection of every irrigation project against the schemes of speculation and monopoly.

It is fitting, therefore, as the first irrigation congress was held in the State which, under the guidance of Brigham Young, gave to the country an illustration of the beneficial effects of irrigation, that this congress, called together after the passage of that triumphant act, should meet here for the purpose of deliberation and counsel as to the best method of carrying it into effect and of securing its comprehensive and beneficent administration. That the Government of the United States, representing the entire people, has done everything that statute can do to forward this great work is evident by a review of its provisions. It provides a perpetual reclamation fund in the Treasury, derived from the sale of public lands in thirteen States and three Territories. These receipts are forever dedicated to irrigation. The receipts of this year, of next year, of all the future years, are appropriated now to the construction of irrigation works. We have the unit of entry fixed at the number of acres capable of supporting a family—from 40 to 160, according to the discretion of the Secretary of the Interior. We have provided that only those can obtain title who live upon the land for five years and reclaim the land. The commutation clause of the homestead act, which has been the means of fraud in the securing of land titles throughout this entire region, is repealed, so far as the lands coming under this act are concerned; and residence for five years—honest work for five years—is required as the condition of title. Thus this work is dedicated forever to the home builders.

Then as to the water rights. The Government stores the water, accumulates it in vast reservoirs, leads it out from the reservoirs in great ditches, brings it within the reach of the settler, and then grants him a water right, payable in ten years without interest, in annual installments of one-tenth each. Then the Government for all time will administer these great reservoirs, surrendering, however, final control of individual projects to a government of home rule, created by the settlers themselves, with the approval of the Secretary of the Interior. The existing landowner, also, is not neglected. The sentiment which at first prevailed that this act should be applied only to Government lands was overcome, and we have a provision, ample and comprehensive in its character, which permits the Interior Department to grant water rights as to land now in private ownership.



But even there it secures the country against the evils of concentration of land in single ownership and of land monopoly; for instead of selling the large landowner a water right covering his entire tract, the act provides that the right can be granted for 160 acres only. But whilst the large landowner can secure a water right for only 160 acres, he can divide his tract into 160-acre farms, and each grantee can buy from the Government a water right, payable in ten annual installments, and thus large tracts of land in private ownership to-day, lacking the water sufficient to give them value, and for that reason lacking a market, will be brought into the market. The owners will be able to dispose of them by subdivision into 160-acre farms, for the Government stands behind ready to sell each grantee of the large landowner a right for water which will be perpetually appurtenant to his farm. We have given those who now own large tracts of land and are land poor a chance to realize money for land, and at the same time we have created, in this very act, by these provisions appealing to the self-interest of these large land proprietors, the machinery that will force and compel the subdivision of these great areas of land now standing in single ownership and constituting a menace to the development of our States and Territories.

The National Government has done everything. The National Government stands as the benefactor. We stand as the beneficiaries, present and prospective. What can we, the beneficiaries, do, then, to sustain and support the Government in its great work? This involves the question of State cooperation in national irrigation. I take it that it is the sense of every man in this Congress that no means should be neglected of securing the friendly aid of the Government in each State and Territory. I take it for granted that the spirit of cooperation exists everywhere. The only question is, How can that spirit be shown and demonstrated? Let me say a few words upon that subject and give you from time to time illustrations derived from the experience of my own State.

In the first place, I contend that we can do much in the shape of friendly legislation. What does the Government propose to do? It proposes, upon every river in this region where the water supply is insufficient during the period of cultivation, and where that water supply can be increased during the period of cultivation, by storage, to construct reservoir and irrigation works for the purpose not only of filling out and completing existing rights which are insufficient, but to aid in the building up and development of the State by bringing new areas now arid and unproductive into cultivation and productiveness. In doing this work it finds that land is already under cultivation, that water has already been appropriated, that water rights already exist, and it becomes a matter of importance for the Federal Government to ascertain the area of that cultivation, the nature of those rights, the extent of those appropriations, and the economy exercised in the use of water, and it is called upon to determine these problems, first, in order to determine the financial problem as to how extensive the contemplated work should be, how large the area of new land which it shall cover, and the extent of the available water supply.

To reduce these to mathematical exactness, inquiry into existing water rights, their extent and nature, is an essential part of the great irrigation work. These water rights exist under State laws, under domestic laws relating to appropriation of water; and the question of beneficial use largely depends upon State laws, whether that use shall be in the highest degree economic, enabling the utilization of the largest area of lands, or extravagant and wasteful, minimizing the beneficent action of this law. Therefore the State should cooperate with the Federal Government in the ascertainment of these facts and aid it in that work in every way possible. Such is the spirit in my own State. Fortunately we have there no code of laws relating to stream control. We have no board of control, no board of engineers, no officials likely to antagonize the Federal work. We have no system to which the people themselves are wedded by custom. We therefore determined to do the best thing we could to welcome the National Government into the domain of that State and to show in every way by our legislation that we cooperated with it in the great work.

At the last session of the Nevada legislature committees on irrigation were appointed by the senate and assembly, which met in joint conference. They did me the honor to invite me to take part in their deliberations, and, with the water laws of neighboring States before us, we started upon our work. Before closing it we had a joint conference of both houses of the legislature, at which Governor Sparks presided, and many of us presented our views in a tentative way, inviting suggestion and opinion. It was pointed out that the National Government stood in the position of a projector not of an enterprise intended for its profit, but of a great scheme of internal improvement, intended to develop the arid West on broad and comprehensive lines, and in such a way as to avert the evils of land monopoly and to promote the

division of the public domain into homes for the advancing army of settlers; that it intended no injury to existing users of water, but, on the contrary, to recognize and secure them, whilst at the same time saving the torrential waters and holding them for use, both in the old and the new settlements, until the time when they would be most needed. The result of this conference was a general expression to the effect that the National Government should receive the cooperation of the State in its work, and that everything possible should be done by helpful State legislation to avoid unnecessary friction between State and Federal officials; to adopt some system by which existing rights could be ascertained and regulated; to institute some degree of stream control, so that the Government could know what water belonged to private users and what was necessary to make their existing rights full and sufficient and what would be available by proper storage and stream control and economical use for new projects, and thus to weld the State and Federal officials into one cooperative machine, working for the common good. And so we drew and the legislature passed an act on these lines, in the preamble of which we put the entire national irrigation act, section by section, and declared that it was the purpose of the State of Nevada to cooperate with the Federal Government in every way; that while the work of construction was going on unity of stream control was essential.

It is just and proper that the Federal Government should have some degree of supervision over the stream whose flow it is largely augmenting, and public policy requires that the State should advance in every way the efforts of the Federal Government. And so under this act the State of Nevada, through its governor, appoints the State engineer, upon the recommendation of the Secretary of the Interior. The governor can reject the nomination of the Secretary of the Interior and compel another nomination, but the man when finally appointed must be recommended by the Secretary of the Interior. We thus obtain a man upon whom the judgment of both the National Government and the highest State official has united as the man best fitted for the place. We also provide for the organization of the State board of irrigation, consisting of the governor, attorney-general, and surveyor-general, with the State engineer as a fourth member. I was recently present at a meeting of the State board of irrigation in which these four officials sat—three of them officials of the State, the other an official of the State recommended by the National Government—all engaged in harmonious discussion regarding these projects for the development and advancement of the State.

Under this law the State engineer is charged with the duty of making a list of priorities. That is not a judicial action. It is simply executive and administrative. Some one must make a list of these water claims; some one must write them down in the order of priority. We assigned that duty to the State engineer; but we provided that any water user taking exception to the list prepared could go into court, make all other water users and the State engineer party to the action, and determine his right, the purpose of this being to secure every man his existing vested rights.

The State engineer is permitted to appoint as assistant engineers men who shall be recommended to him by the Secretary of the Interior, and he is now availing himself of the services of a number of hydrographers, scientific skilled men in the employ of the United States Geological Survey, acting as assistants to the State engineer. These Federal engineers act for the State, though it involves no expense to the State. The State thus has a corps consisting of a chief engineer and assistant engineers, the chief and the first assistant paid by the State, the others paid by the Federal Government, all commissioned by the State to inquire into this question of existing water rights and map the claims of the different users. In our State we found that whenever we attempted to pass a bill providing for the ascertainment of water rights, it was a matter of great vexation to the farmers.

The man who cultivates the soil, as a rule, stands in dread of a statute. If he finds he is compelled by that statute to make a statement of his claim, to have a survey made of the area of land covered by it, to have a map made of his ditch and land, he stands aghast. It involves with him the employment of a lawyer, an engineer, and much vexation of spirit. We have passed one or two laws in the history of the State and have been compelled by the popular clamor to repeal them before they went into effect. In this case the purpose of the act was to make that work easy for the settlers themselves, to give them the friendly aid and cooperation of the Federal Government, and as the result of this act the Government hydrographers, acting as assistant State engineers, move about among the farmers, ascertain their rights, explain the law, do away with the misapprehension that existed in their minds, and perform a real service to the farmers without expense to them. The result is that when the work is done each settler will simply sign his name to the record made by the Gov-



ernment engineers—a record made in all honesty. And while there may be some contention, my judgment is that in this process of personal instruction and personal presentation that is going on throughout the entire State, all difficulties in this matter will entirely disappear.

Then we have provided for district commissioners. These are to act after the rights are ascertained; to act on each stream according to this list of priorities, and to serve each man his water according to his right, and to serve the Government and its grantees their water according to their rights. We think that it would be grossly impudent in us to claim that State officials alone should undertake to carry out this work. Take the Truckee River, for instance, upon which one of the projects recommended by the Interior Department is now being constructed. There we have only 40,000 acres under cultivation. The crystal waters of that stream, issuing from the mountains, rush through our valley in a turbulent stream when the waters are not needed, and the stream is reduced to a thread when the waters are most needed. Mathematical computation has shown that if these waters are properly stored and conserved, this area of reclamation of 40,000 acres now existing, and which has reached its limit under present conditions, will be extended to seven or eight hundred thousand acres; and the project now under contemplation involves the actual watering of over 300,000 acres.

Think of that! The existing settlers have water for the use of 40,000 acres; the Government is about to create water there that will supply seven or eight hundred thousand acres. Would it not be colossal effrontery upon the part of the owners of that 40,000 acres to demand that they should have the absolute control over the stream: that Uncle Sam should be compelled to spend millions of dollars in storing water and absolutely lose all control of it as soon as it disappears from the reservoirs? It was in the spirit of amity and cooperation that we provided that the water commissioners under that statute should be recommended by the Secretary of the Interior, and we had two purposes in view: One was that it was but just to give the creator of the majority of the water something to say regarding the administration of it, and the other was we felt assured it would be for the benefit of our own people to have such men as are in the geological service—trained engineers, experienced men, and, above all, impartial men—administer the control of the stream.

I remember when we were framing this act I felt there would be some hesitation on the part of the people with reference to this matter: that a provision that I thought just might appear to them to be, as it was termed by some one, a surrender of the sovereignty of the State, and I questioned a farmer who was on the committee as to what system of water administration he would prefer; whether he preferred a system of home rule, in which the voters of the community would select the water commissioners, or that they should be appointed by the governor, or be appointed by the governor upon the recommendation of the Secretary of the Interior, thus utilizing the great national forces in this work. He was puzzled for a moment, and then said: "Well, if the governor appoints, that may be politics; and if we appoint, it will be a fight between the upper stream and the lower stream, between ditch A and ditch B, as to who shall select the water commission. We can't trust each other, but we can all trust Uncle Sam."

Now, this act is upon our statute books. It is now being administered without friction. While I can not expect all States of this region, which have, through much toil and trouble, worked out a system of legislation regarding stream control, to abandon their chosen method and adopt ours, I yet take the liberty of suggesting that there are many things in this act, and particularly in the spirit of this act, that can be emulated by our sister States and Territories. I was glad to see that President Roosevelt, when recently in Nevada, referred to this act as a model of legislation for other States.

I wish to say a word to the State of California, in which I lived for many years and with whose prosperity that of Nevada is strongly identified. I observed that during the last session of the legislature they were in contention there regarding a State irrigation law intended to determine existing rights and to secure the proper administration of stream control; and that there the south was against the north; the north was against the south; the large interests against the smaller; and the interests which now controlled the scanty water supply were fearful that the enlarged water supply of the future might not be administered to their advantage, and the result was that the bill failed. I have nothing to say either in defense or criticism of that bill. All I can say is that it is a pity that some bill for the ascertainment of existing rights and for the administration of stream control for regulation and economical use of water was not passed. The people of California can not expect the Government of the United States to have no authority in this matter.

As an individual, I say they have no right to expect the Fed-

eral Government to come within their boundaries and do this great work for the development of their State and the increase of its population unless that State is at peace with itself. California is to-day struggling with extraordinary difficulties. The streams which flow from the Sierra Nevada Mountains to the ocean have been appropriated over and over again. The utmost limit, I believe, of cultivation under existing conditions has been reached. Hundreds and thousands of acres of land have been sold in that State, with supposed water rights attached, which under existing conditions do not furnish sufficient water to permit of cultivation. The forests of that State have been largely cut down. The snows in the mountains, which, protected by the forests, once constituted natural storage reservoirs of water, now melt rapidly. Torrential streams come now where the water used to flow equally and gradually, and the development of the State of California absolutely depends upon the conservation of these waste waters, vast in quantity, that now make their way to the ocean.

These projects are all expensive. Two or three of them involve more than \$3,000,000 each. So the problem is a difficult one; and in addition to that is the fact that in that State there is little public land left. The very primary purpose of this act was to irrigate public land, and connected with that was the power to irrigate private lands; the purpose of the act was to protect existing settlements, as well as to create new ones. But as long as the private land owners are in contention as to the method of stream administration, how can the Government of the United States, without any public lands to which it can apply its waters, be safe in expending millions of dollars, unless the State of California shows the spirit of cooperation that has been shown by this Nevada statute and invites the Federal Government within its boundaries, and by State law protects it in the administration of stream control?

The reasoning which I have applied to that State would apply to others. It applies to every community, particularly where existing water rights are insufficient and where Government aid is required to complete them; and I urge upon all of you when you go back to your homes to raise this question as to harmonizing your State laws with the Federal purpose and of extending to the Federal Government a cordial invitation and cooperation. We can also aid in other matters in the public sentiment prevailing regarding our land laws. Unfortunately the land laws of this country have been maladministered in many cases. The purpose of the Government was always beneficent, but the laws have been so maladministered in some cases as to tend to land monopoly. Every movement for the reform of these land laws is met with opposition from our region; opposition many times honest and often interested. Let us see to it that the reform legislation of the future regarding these lands is not aimed against us by an indignant East, but is framed by a candid West.

I have nothing particular to say regarding the discussion now going on as to the propriety of repealing some of these laws. My mind is not fully made up, because I have not thoroughly investigated; but I apprehend, from all I have heard, that there must be faults both in the law itself and in the administration which must be corrected, otherwise I can not understand the difference in opinion between the Congressman from Wyoming, who stands up for the present system, and the Senator from Montana, who insists that the system is iniquitous and that our lands are being absorbed by speculators and monopolists. The same laws exist in both States. Are we to infer, then, that the law is well administered in Wyoming and badly administered in Montana. But how can we assume that when the law is administered by the same officials, the same land department of the United States. I assume, therefore, when Mr. MONDELL says no such cases of fraud have been brought to his attention that he is entirely sincere in his statement, and I assume when Senator GIBSON says that numerous cases of fraud and monopoly have been brought to his attention that he knows what he is talking about. And so I must assume that there are abuses to be corrected, and all I can say now is that the people of this region should enter upon that inquiry with impartial and candid minds and with the determination to guard well the development of the future.

Now, my friends, we all listened with delight to Commander Booth-Tucker, of the Salvation Army, when he presented that magnificent address, so business-like in character, and yet adorned by humor, wit, and fancy in the highest degree. I think there was not one of us who did not feel his pulse stir. I think there was not one who did not feel that Utopia was almost within realization. We have a vast domain here, aggregating more than one-third of the entire area of the United States, that is capable of sustaining a vast population. We have passed through an era of development which in itself is educational. We know, or ought to know, the evils we are to avoid. We ought to know that this place should be made the home not of concentrated



wealth but of distributed wealth. We know we have to do with the making of a policy that will create individual homes throughout this entire region, that will make the home the very basis of our educational, social, and business life. This act is a step in that direction. Through the beneficent operation of that act, under a beneficent government, we may well expect to reach out for and accomplish all that the imagination and the logic and the reasoning power of Commander Booth-Tucker have depicted; but this work rests with us. We are the people who are to instruct the East as to legislation relating to the West. We are the people who are to see to it that this law is wisely administered. We are the people who are to extend the hand of welcome and fellowship to the Federal Government; and if we simply pursue the spirit of cooperation, and permit that spirit to take possession of us, animating us everywhere in the development and upbuilding of this great region, the future will have no word of reproach against this generation.

## APPENDIX.

## THE NEVADA STATUTE.

An act providing for the cooperation of the State of Nevada with the Secretary of the Interior of the United States in the construction and administration of irrigation works for the reclamation of arid lands in the State of Nevada, for the measurement, appropriation, and distribution of water, determination of water rights, preserving and certifying records thereof, creating offices for the enforcement hereof, defining the tenure of office, powers, and duties, and fixing their compensation; providing for penalties for infringements hereof, and enacting a standard measure of water, and conferring upon the Secretary of the Interior such rights and powers under the laws of Nevada as are necessary to enable him to carry out and execute an act of the Congress of the United States, approved June 17, 1902, entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved February 16, 1903.

Whereas the Congress of the United States did, by an act approved June 17, 1902, enact the following law:

"Be it enacted, etc., That all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, beginning with the fiscal year ending June 30, 1901, including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the 5 per cent of the proceeds of the sales of public lands in the above States set aside by the law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury to be known as the 'reclamation fund,' to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the said States and Territories, and for the payment of all other expenditures provided for in this act: *Provided*, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862,' the deficiency, if any, in the sum necessary for the support of said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

"SEC. 2. That the Secretary of the Interior is hereby authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session as to the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all tracts relative to the practicability of each irrigation project; also the cost of works in process of construction as well as of those which have been completed.

"SEC. 3. That the Secretary of the Interior shall, before giving the public notice provided for in section 4 of this act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this act, and shall restore to public entry any of the lands so withdrawn when, in his judgment, such lands are not required for the purpose of this act; and the Secretary of the Interior is hereby authorized, at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to withdraw from entry, except under the homestead laws, any public lands believed to be susceptible of irrigation from said works: *Provided*, That all lands entered and entries made under the homestead laws within areas so withdrawn during such withdrawal shall be subject to all the provisions, limitations, charges, terms, and conditions of this act; that said surveys shall be prosecuted diligently to completion, and upon completion thereof, and of the necessary maps, plans, and estimates of cost, the Secretary of the Interior shall determine whether or not said project is practicable or advisable, and if determined to be impracticable or inadvisable he shall thereupon restore said lands to entry; that public lands which it is proposed to irrigate by means of any contemplated works shall be subject to entry only under the provisions of the homestead laws in tracts of not less than 40 or more than 160 acres, and shall be subject to the limitations, charges, terms, and conditions herein provided: *Provided*, that the commutation provisions of the homestead laws shall not apply to entries made under this act.

"SEC. 4. That upon the determination by the Secretary of the Interior that any irrigation project is practicable, he may cause to be let contracts for the construction of the same, in such portions or sections as it may be practicable to construct and complete as parts of the whole project, providing the necessary funds for such portions or sections are available in the reclamation fund, and thereupon he shall give public notice of the lands irrigable under such project, and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments, not exceeding ten, in which said charges shall be paid, and the time when such payments shall commence. The said charges shall be determined with a view of returning to the reclamation fund the estimated cost of construction of the project, and shall be apportioned equitably: *Provided*, That in all construction work eight hours shall constitute a day's work, and no Mongolian labor shall be employed thereon.

"SEC. 5. That the entryman upon lands to be irrigated by such works shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the land covered by his entry shall pay to the Government the charges apportioned against such tract, as provided in section 4. No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner, and no such sale shall be made to any landowner, unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land, and no such right shall permanently attach until all payments therefor are made. The annual installments shall be paid to the receiver of the local land office of the district in which the land is situated, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys already paid thereon. All moneys received from the above sources shall be paid into the reclamation fund. Registers and receivers shall be allowed the usual commissions on all moneys paid for lands entered under this act.

"SEC. 6. That the Secretary of the Interior is hereby authorized and directed to use the reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of this act: *Provided*, That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior: *Provided*, That the title to and the management and operation of the reservoirs and the works necessary for their protection and operation shall remain in the Government until otherwise provided by Congress.

"SEC. 7. That where in carrying out the provisions of this act it becomes necessary to acquire any rights or property, the Secretary of the Interior is hereby authorized to acquire the same for the United States by purchase or by condemnation under judicial process, and to pay from the reclamation fund the sums which may be needed for that purpose, and it shall be the duty of the Attorney-General of the United States, upon every application of the Secretary of the Interior under this act, to cause proceedings to be commenced for condemnation within thirty days from the receipt of the application at the Department of Justice.

"SEC. 8. That nothing in this act shall be construed as affecting or intending to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream of the waters thereof: *Provided*, That the right to the use of water acquired under the provisions of this act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right.

"SEC. 9. That it is hereby declared to be the duty of the Secretary of the Interior in carrying out the provisions of this act, so far as the same may be practicable and subject to the existence of feasible irrigation projects, to expend the major portion of the funds arising from the sale of public lands within each State and Territory hereinbefore named for the benefit of arid and semiarid lands within the limits of such State or Territory: *Provided*, That the Secretary may temporarily use such portion of said funds for the benefit of arid or semiarid lands in any particular State or Territory hereinbefore named as he may deem advisable, but when so used the excess shall be restored to the fund as soon as practicable, to the end that ultimately, and in any event, within each ten-year period after the passage of this act, the expenditures for the benefit of the said States and Territories shall be equalized according to the proportions and subject to the conditions as to practicability and feasibility aforesaid.

"SEC. 10. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect."

And Whereas the Secretary of the Interior of the United States, acting by and through the United States Geological Survey, has entered upon the examination, survey, and location of irrigation works on the Truckee, Carson, Walker, and Humboldt rivers, in the State of Nevada, as provided for in section 2 of said act, and is or soon will be prepared to let contracts for the same as provided in section 4 of said act; and

Whereas a sum approximating \$10,000,000 is now collected in a special fund in the Treasury of the United States, known as the "reclamation fund" referred to in section 1 of said act, and is applicable to the construction and maintenance of irrigation works for the reclamation of arid and semiarid lands in the arid and semiarid States and Territories, and it is desirable that a portion thereof be immediately applied to the construction, maintenance, and operation of irrigation works in and for the State of Nevada; and

Whereas it is estimated by the United States Geological Survey that the waters of the Truckee River, now irrigating only 42,000 acres of land in Nevada, can, by conservation and economical use, be made to supply 280,000 acres; and the Carson River, now irrigating in Nevada only 50,000 acres, can, by conservation and economical use, be made to supply 175,000 acres; and that the waters of the Walker River, now irrigating 40,000 acres in Nevada, can, by conservation and economical use, be made to supply 200,000 acres; and that the waters of the Humboldt River, now irrigating in whole or in part 300,000 acres, can, by conservation and economical use, be made to supply 750,000 acres; thus increasing the total irrigated area of the aforesaid rivers from 432,000 acres to 1,405,000 acres of land in the State of Nevada, thus vastly increasing its population and wealth; and

Whereas similar work of examination, survey, and location is being done in other arid and semiarid States and Territories, and each and every of said States and Territories is applying to the Secretary of the Interior for the immediate commencement of work and construction; and

Whereas it is within the discretion of the Secretary of the Interior to expend the whole or any part of said fund in any arid or semiarid State or Territory; and

Whereas it is understood to be the disposition of the Secretary of the Interior to commence work immediately upon such irrigation projects as are feasible and along the lines of least resistance, and which are located in such States and Territories as indicate by their laws and the action of their public officers the best spirit of cooperation and helpfulness; and

Whereas in section 6 of said act the Secretary of the Interior is authorized to use the said reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of said act: *Provided*, That when the payments required thereby are made for the major



portion of the lands irrigated from the waters of any of the works therein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior: *Provided*, That the title to and the management and operation of the reservoirs and the works necessary for their protection and operation shall remain in the Government of the United States until otherwise provided by Congress; and

Whereas it is deemed advisable by the State of Nevada that during the period of the construction of such works in or for the State of Nevada by the Federal Government, and during the operation, management, and maintenance thereof by the Federal Government, unity of control of the river on which such works are constructed is essential, and it is desirable that such unity of control be exercised by the Secretary of the Interior until the management, operation, and maintenance of such works shall pass to the owners of the lands irrigated thereby, as provided in section 6 of said act; and

Whereas it may become necessary for the Secretary of the Interior in carrying out the provisions of said act to proceed to condemn rights or property in the State of Nevada, and it is desirable that every facility should be given to the Secretary of the Interior for the speedy adjudication of such proceedings in the courts of Nevada; and

Whereas it is expressly declared by section 8 of said act that nothing therein shall be construed as in any way interfering with the laws of any State or Territory relating to control, appropriation, use, distribution of water used in irrigation, or any vested right acquired thereunder; and

Whereas it is the purpose of the Secretary of the Interior not to impair or injure vested rights, but on the contrary to confirm the same, and to provide by storage such an abundance of water as to make such vested rights more full, certain, and assured in their beneficial operation than at present; and

Whereas it is essential that the Secretary of the Interior, before proceeding to actual construction on any river in Nevada, shall be informed as to the extent of the present actual appropriation and beneficial use of water by existing communities, in order that the Secretary of the Interior may be informed as to what quantity of water will be necessary to fully supply existing uses, and what quantity of water will be available for the supply of new lands and new uses; and

Whereas it is the desire of the State of Nevada to cooperate in every way with the Secretary of the Interior in the construction, operation, management, and maintenance of irrigation works in the State of Nevada under said act, and it is to the interest of the State of Nevada that every inducement should be held out to the Secretary of the Interior by cooperation and helpful State legislation to enter upon the work of construction, operation, management, and maintenance as aforesaid: Now, therefore,

*The people of the State of Nevada, represented in senate and assembly, do enact as follows:*

SECTION 1. All natural water courses and natural lakes and the waters thereof which are not held in private ownership belong to the public and are subject to appropriation for a beneficial use, and the right to the use of water so appropriated for irrigation shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right. The use of all water now appropriated, or that may hereafter be appropriated, is hereby declared to be a public use.

SEC. 2. The maximum quantity of water which may be appropriated or used for irrigation purposes in the State of Nevada shall not exceed 3 acre-feet per year for each acre of land supplied.

SEC. 3. The office of State engineer is hereby created. He shall be appointed by the governor, and shall receive a salary not exceeding \$2,400 per annum, payable in equal monthly installments by the State treasurer upon warrants drawn by the State controller. He shall keep his office at the State capital. No person shall be appointed as such State engineer who does not have such training in hydraulic engineering and such practical skill and experience as shall fit him for the position; nor shall any person be so appointed save upon the recommendation of the Secretary of the Interior or the Director of the United States Geological Survey, unless after thirty days' notice to such officials they shall fail to make such recommendation. He shall hold his office at the pleasure of the governor, but his successor shall, in all cases, have the foregoing qualifications and recommendations. He shall not be permitted to accept any private employment.

SEC. 4. Before entering upon the duties of his office the State engineer shall take and subscribe an official oath such as is provided by law for said officers before some officer authorized by the law of the State to administer oaths, and shall file with the secretary of state said oath and his official bond in the penal sum of \$5,000, with not less than two sureties, to be approved by the governor of the State, and conditioned for the faithful discharge of his official duties, and for the delivery to his successor, or other person appointed by the governor to receive the same, all moneys, books, and other property belonging to the State then in his hands and under his control or with which he may be chargeable as such officer.

SEC. 5. The State engineer shall perform such duties as are prescribed herein. He shall become conversant with the State and the needs of the State as to irrigation matters, and in his reports to the governor he shall make such suggestions as to the amendment of existing laws or the enactment of new laws as his information and experience shall suggest, and he shall keep in his office full and proper records of his work, observations, and calculations, all of which shall be the property of the State. He shall cooperate with the Secretary of the Interior in all work of construction, operation, maintenance, and management of irrigation works constructed by the Secretary of the Interior in and for the benefit of Nevada, under an act of Congress of the United States approved June 17, 1902, entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," and shall in every way facilitate the work of the Secretary of the Interior in carrying out the provisions of said act in the State of Nevada.

SEC. 6. The State engineer shall have the power to employ an assistant engineer at an expense not to exceed \$1,200 per annum, and to employ other assistants at a total additional expense not to exceed \$500 per annum; such assistant engineer and such additional assistants to be paid out of any money appropriated for that purpose, on the certificate of the State engineer and the approval of the State board of examiners. He may also appoint as assistant engineers and as additional assistants such persons in the service of the United States Geological Survey as may be designated by the Secretary of the Interior or the Director of the United States Geological Survey; but such assistant engineers and such additional assistants shall be entitled to no pay from the State of Nevada.

SEC. 7. When the State engineer or his assistant engineer is called away from his office he shall be entitled to his actual traveling expenses, which shall be paid out of any money appropriated for that purpose, on the certificate of said State engineer approved by the State board of examiners.

SEC. 8. The State engineer shall prepare and render to the governor biennially, and oftener if required, full and true reports of his work touching all the matters and duties devolving upon him by virtue of his office, which re-

port shall be delivered to the governor on or before the 31st day of December of the year preceding the regular session of the legislature.

SEC. 9. Such State engineer shall prepare for each stream in the State of Nevada a list of the appropriations of water according to priority, and in order to make such list he shall inclose to each person having a claim to the waters of such stream a blank form on which said claimant shall present in writing all the particulars showing the amounts and dates of appropriations to the use of water of said stream to which he lays claim, the said statement to include the following:

The name and address of the claimant.  
The nature of the use on which the claim for an appropriation is based.  
The time of the commencement of such use, and if distributing works are required.  
The date of beginning of survey.  
The date of beginning of construction.  
The date when completed.  
The date of beginning and completion of enlargements.  
The dimensions of the ditch as originally constructed and as enlarged.

The date when water was first used for irrigation or other beneficial purposes and, if used for irrigation, the amount of land regained or irrigated the first year; the amount in subsequent years, with the dates of reclamation, and the amount of land such ditch is capable of irrigating. The character of the soil and the kind of crops cultivated, and such other facts as will show a compliance with the law in acquiring the appropriation and the rank of priority claimed.

SEC. 10. Each of said claimants shall be required to certify to his statements under oath, and any officer authorized to administer oaths is hereby authorized to administer such oath.

SEC. 11. The failure of any claimant to make such a sworn statement within sixty days after notice that such statement is required by the State engineer shall be punishable as a misdemeanor on the complaint of the State engineer or any of his assistants.

SEC. 12. It shall be the duty of the State engineer or some qualified assistant as soon as practicable to make an examination of such stream and the works diverting therefrom, said examination to include the measurement of the discharge of said stream unless adequate proof is available from the measurements made by the United States Government, and of the carrying capacity of the various ditches and canals diverting water therefrom; an examination of the irrigated lands, and an approximate measurement of the lands irrigated or susceptible of irrigation from the various ditches and canals, which said observations and measurements shall be reduced to writing and made a matter of record in his office, and it shall be the duty of the State engineer to make or cause to be made a map or plat on a scale of not less than 1 inch to the mile, showing with substantial accuracy the course of said stream, the location of each ditch or canal diverting water therefrom, and the legal subdivisions of lands which have been irrigated or which are susceptible of irrigation from the ditches and canals already constructed. In performing such work the State engineer or his assistant may avail himself of the works, records, and information of the United States Geological Survey.

SEC. 13. Within thirty days after the preparation of the list of priorities of appropriation of the use of waters of any stream it shall be the duty of the State engineer to issue to each person, association, or corporation represented in such list a certificate, to be signed by said State engineer, setting forth the name and post-office address of the appropriator, the priority number of such appropriation, the amount of water appropriated, and amount of prior appropriations, and, if such appropriations be for irrigation, a description of the legal subdivisions of the lands to which said water is to be applied. And he shall also send such certified list, by registered mail, to the county recorder of the county in which such appropriations shall have been made, as well as to the county recorder of the county in which the waters appropriated are used, and it shall be the duty of said county recorder, within ten days after the receipt of such certificate, to record the same in a book specially prepared and kept for that purpose, and the fee for such record shall be fixed by the governor and shall be allowed and paid by the board of examiners out of funds in the treasury applicable thereto.

SEC. 14. Any party, or number of parties, acting jointly, who may feel themselves aggrieved by the determination of the State engineer, may bring an action in any court having jurisdiction against such State engineer and all persons having interests adverse to the party or parties bringing the action to have their respective rights determined. Such action must be brought within two years after the record of such list of priorities of appropriation has been recorded. Such action shall be tried as speedily as possible, and the court is hereby authorized to employ a hydraulic engineer or other expert to examine and make report under oath upon any subject-matter in controversy, the cost of such employment to be equitably apportioned by the court and charged against the parties to the suit as costs.

SEC. 15. The water commissioners hereafter provided shall make apportionment of the waters of such stream according to the list of priorities recorded as aforesaid, unless such list be corrected by the judgment of some court having jurisdiction of the subject-matter.

SEC. 16. Within sixty days from the passage of this act it shall be the duty of the county recorder in each of the counties of this State to prepare a full and complete transcript of all the claims and appropriations of water now on file in their respective offices, and to transmit the same, without delay, to the State engineer by express or registered mail. It shall also be the duty of the clerk of each district court in the State, within thirty days of the passage of this act, to transmit to the State engineer, in like manner, certified copies of all decrees of said district courts affecting water rights on file in the offices of the said clerks of the said district courts of the State. The State engineer shall also obtain copies of all decrees of the United States court for the district of Nevada affecting water rights. Said recorders and said clerks of the said State district courts shall receive, in compensations for their services in the preparation of said transcripts and copies, 12½ cents per folio, which shall be paid by the county in which such court is situated; and the same allowance shall be made for certified copies of decrees of the United States court for the district of Nevada, and shall be paid out of the State treasury.

SEC. 17. The State engineer shall be a member of the State board of irrigation created by an act of the legislature of the State of Nevada approved March 18, 1901, entitled "An act to provide for the measurement of streams, the survey of reservoir sites, the determination of irrigation possibilities, and for the best methods of controlling and utilizing the water resources of the State of Nevada in cooperation with the United States Geological Survey and the United States Department of Agriculture and the Nevada Experiment Station." The said State engineer shall be the secretary of said board of irrigation and shall keep the records thereof in his office.

SEC. 18. The said board of irrigation shall divide the State of Nevada into such water divisions or water districts as seem to it advisable, and may change the same from time to time. It may appoint water commissioners whose duty it shall be to measure and divide amongst the appropriators the water of such streams according to priority of right and the amount to which each is entitled. It may make such rules and regulations as to it shall seem advisable for the proper and economical administration of the waters of such



streams, and may fix penalties for the violation of such rules and regulations. Such appointment as water commissioners shall be made upon the recommendation of the Secretary of the Interior or the United States Geological Survey, and may include persons in the service of the United States Geological Survey; but if after thirty days' notice the Secretary of the Interior or the said Geological Survey shall fail to make such recommendation, it shall have the power to appoint such commissioners without such recommendation.

SEC. 19. The board of irrigation shall determine the number and compensation of the water commissioners appointed under this act, and said water commissioners shall be and act under the direction of the State engineer. The compensation of said water commissioners shall be paid, upon the approval of the board of irrigation, by the county in which the work of such commissioners is performed, in the same manner as other county bills are presented and allowed.

SEC. 20. Any person interfering with, obstructing, or resisting the State engineer, assistant State engineer, or any water commissioner in the performance of his duty or duties, as prescribed by this act, or by the rules or regulations adopted by the board of irrigation, shall be deemed guilty of a misdemeanor.

SEC. 21. The Secretary of the Interior is hereby authorized and empowered to institute proceedings in any of the courts of the State of Nevada for the condemnation of any rights of property deemed by him to be necessary for any of the works to be constructed by him or under his direction, under the said act of Congress of June 17, 1902, or necessary to carry out the provisions of said act. Such proceedings shall be expedited by said courts as rapidly as possible.

SEC. 22. The sum of \$15,000 is hereby appropriated for the purpose of carrying out the provisions of this act.

SEC. 23. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the appropriation bill.

Mr. ALLISON. Mr. President—

Mr. TELLER. Is that bill before the Senate?

The PRESIDENT pro tempore. It is before the Senate.

Mr. DUBOIS. Mr. President, I do not care to make an extended speech, but I wish simply—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. TELLER. I wish to say that the bill is before the Senate, and I suppose it is in order for the Senator from Idaho to discuss it.

The PRESIDENT pro tempore. It was only temporarily laid aside in order that the Senator from North Dakota might speak, and then it was temporarily laid aside in order that the Senator from Nevada might speak.

Mr. TELLER. The bill is now regularly before the Senate, is it not?

The PRESIDENT pro tempore. The bill before the Senate is the District of Columbia appropriation bill.

Mr. TELLER. That is what I meant.

The PRESIDENT pro tempore. It was temporarily laid aside.

Mr. TELLER. On that the Senator from Idaho has a right to address the Senate. If he has not, I have.

Mr. ALLISON. Mr. President—

The PRESIDENT pro tempore. The Chair recognized the Senator from Iowa—

Mr. DUBOIS. Very well.

The PRESIDENT pro tempore. Because the appropriation bill was only temporarily laid aside, and the Chair asks the Senator from Iowa if he yields to the Senator from Idaho.

Mr. ALLISON. I will yield to the Senator from Idaho.

The PRESIDENT pro tempore. The Senator from Idaho.

Mr. TELLER. Mr. President, I want to say that it is not necessary to have any yielding at all. The bill is now before the Senate.

Mr. CULLOM. No, I think the Senator is mistaken. Or does the Senator refer to the appropriation bill?

Mr. TELLER. I refer to the District of Columbia appropriation bill.

The PRESIDENT pro tempore. The District of Columbia appropriation bill is the bill before the Senate.

Mr. TELLER. It is the right of the Senator from Idaho to discuss the question, and it is my right to discuss it, and I shall proceed to do so.

The PRESIDENT pro tempore. The Senator from Colorado need not raise any question with the Chair on that point. The Chair simply asserted that the District of Columbia appropriation bill is before the Senate. Of course the Chair understands that the Senator can discuss anything he pleases on any bill, it makes no difference what the bill is.

Mr. TELLER. I want to assert that right, and I do not want the Senator from Idaho to establish a precedent by asking permission to make a speech on this bill.

Mr. ALLISON. The Senator from Colorado will recollect that I have the floor. I would be very glad to make a few observations myself on the District of Columbia appropriation bill, but I take pleasure in yielding to the Senator from Idaho, and I will take pleasure in yielding to the Senator from Colorado, who says he also wants to speak on this bill.

Mr. TELLER. I will wait until the Senator finishes his speech, and then I will make mine.

Mr. ALLISON. After the Senators have concluded, I myself wish to say a few words on the District of Columbia appropriation bill before proceeding to consider the amendments of the committee.

Mr. DUBOIS. Mr. President, I feel that I am conferring a distinct favor on the Senate by making a few remarks now, because if I waited until to-morrow I might make a long speech.

I am reminded by the remarks made by the Senator from Montana [Mr. GIBSON] and the Senator from Nevada [Mr. NEWLANDS] of the "milk sick" which they used to have in Indiana. In the early days we heard a good deal about the "milk sick." It was supposed to be a very deadly malady, and people were warned about running against the "milk sick" in some county in Indiana. Dubois County, they said, was one of the counties, but when you got to Dubois County you found the "milk sick" was in the next county, and on going into that county the "milk sick" was in the next county, and finally chased it clear out of the State, and could not locate it at all. The frauds can not be located. They are always somewhere else.

Now, if these sweeping assertions which the Senators make in regard to the abuse of all our general land laws are true, if all these fraudulent entries have been going on so long, it proves conclusively that our land laws have been very badly administered.

The PRESIDENT pro tempore. The Senator will suspend one moment. The Chair lays before the Senate the unfinished business.

The SECRETARY. 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.

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

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the unfinished business may be temporarily laid aside in order that the Senate may proceed with the consideration of the appropriation bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. DUBOIS. I regard this assertion as a sweeping indictment not only of the present officers who have charge of the administration of the general land laws, but of previous administrations since these laws were enacted, and I want to resent the truthfulness of these charges. The conditions are different in Nevada from the other arid States. The Government gave to Nevada a great deal of land which they leased out, and the lands are now under lease to large cattle owners and others, and in that way the State derives a rental from the lands.

Mr. STEWART. The State sold them at \$1.25 an acre and gave twenty-five years to pay for them, paying interest, and the State derives a profit from the income.

Mr. DUBOIS. I thank the Senator for the correction. But with that exception I think the United States Government has not turned over to any of these States lands which the States could dispose of as they saw fit. On the contrary, when the Dakotas, and Washington, and Montana, and Idaho, and Wyoming came into the Union, Congress provided that none of these States shall sell any of their lands given them by the General Government at less than \$10 an acre, and in my State these lands are readily being sold for \$10 and more an acre.

Now, so far as the desert-land act is concerned, the arid States of Colorado, Idaho, and Utah have been built up practically under that act.

Mr. STEWART. And Wyoming.

Mr. DUBOIS. And Wyoming. Ten years ago Idaho had 86,000 people. To-day it has easily a quarter of a million. There is not a town in our State of 15,000. From that you drop to another one of five or six thousand, and then down to the villages.

Our people have gone on the public domain and taken up farms. They have taken them mostly under the desert-land act, and I have never known of a case of fraud in Idaho under the desert-land act. It is very easy to see why there could not be any fraud. If a man takes up desert land which is valuable and is undertaking to evade the law, he is contested at once by some one who wants that land. Contests are going on constantly, men charging that those who took up the land originally are not complying with the law. The neighbors themselves protest. They are looking after their own interest, and unless they observe the requirements of the law in making their entries and in keeping them up they are contested by others who want their land.

I think no one was more earnestly in favor of the irrigation law than myself. I had the honor of presiding over almost all the deliberations of the members who framed that bill, but we do not know whether it is a good law or not. There has not been a single enterprise yet inaugurated and pushed to a conclusion under



that law. If you repeal the desert-land act, we can only hope, in the arid States, for settlement under this reclamation law, which is in an embryo state. We can not tell whether it is going to work satisfactorily or not, and there would be no other way for our people in the arid section to get their land except under this act, which will not be pushed to sufficient completion for land to be taken under any of the provisions for reservoirs or ditches for several years to come.

The repeal of the desert-land act now would be a complete estoppel for the present of entries of land in almost all the arid-land States. You can not go on a desert tract of land and make a homestead, because you have to put water on the land before you can use the land at all. It requires considerable time. In my State, as in many others, ditches are built through cooperation, and men must go out and make money in order to build their ditches and get water on the land. They absolutely can not raise anything on the land until they get the water on it, clearing it first of sage brush and putting water on it, and then having crops grow, which takes three or four years before they can derive any pecuniary benefit from the land at all.

In addition to that, if you are going to restrict people who want to go to that western country and make homes, why did you not commence when the rich lands of Illinois and Iowa and all our western country were open?

Now, almost all of the desirable lands have been taken, and we ought to encourage in every way by lenient laws those who will go there now and take this remnant of land for homes. It is hard enough under any conditions, no matter how favorable you may make them, for the settlers. This is not a good time to make it harder for the home seekers in the West, because, as I said, the best lands have been parted with by the Government.

Senators talk about large ownerships of land under the present laws, of large tracts of land getting into the hands of corporations and syndicates. The Senator from Nevada [Mr. NEWLANDS] located them in Ireland, and also in California under the old Spanish grants, where they took 50,000 and 100,000 acres of land. None located these large holdings under the present land laws. So far as Idaho is concerned, it has grown faster in percentage in the last ten years than any State or Territory in the Union, and the growth has been all on the farms.

So far as that State is concerned, I can not recall a single individual or corporation in the whole State owning as much as 1,500 acres of land. There are no corporations or syndicates there getting lands, and these gentlemen have not pointed out any place where they have gotten agricultural lands. They may have taken land along the streams to save the water supply, and in that way get a range back for their cattle; but the progress of settlement stops that. Men can go in there and stay on these lands if they want, if they can get water on them. The days of large holdings of cattle also have passed away, because people are fencing in the country and making farms, and the cattle must be fed in the winter months.

I can not understand why this agitation for the repeal of these land laws is being pressed so constantly. The great trouble with us in the West is not the land laws. The great difficulty that we encounter now is the scripping of land. The Government gave to railroad corporations large tracts of land in alternate sections. Some of those lands were found to be mineral; others were put in Indian reservations; some were put in forest reserves.

The owners of the land grants were allowed to take lands in lieu of those lands, and they got scrip, which they sell for five or six dollars an acre. Almost all of this scrip is owned by the railroad corporations. The difficulty that we encounter is the danger from the scripping of these lands by the railroad corporations or by people who buy the scrip from them. I should like to have these reformers—and I will gladly join with them—direct their attention to the scripping of land, which is the hardest thing we have to contend against in our country, and is the only possible way I can think of by which large tracts of land can be secured by corporations or individuals.

I am suspicious sometimes that the owners of this scrip are pressing for the repeal of these beneficial land laws. It is apparent that if all the land laws, excepting the homestead, were repealed and the commutation clause of the homestead act done away with, the scrip would become vastly much more valuable. With this scrip you can locate any kind of public land in any part of the country.

Mr. ALLISON. I will yield to the Senator from Colorado.

Mr. TELLER. I do not desire to make a speech on this subject now. It is a subject of so much importance to the people whom I in part represent that I mean to take occasion to enter a very positive protest against some of the statements which were made with reference to the execution of land laws in this country during the last fifteen or twenty years. I will not do it on the appropriation bill, but I will endeavor to do it some time next week.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12333) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

Mr. ALLISON. Mr. President, before the Secretary begins the reading of the bill, I wish to make a brief statement as respects the general character of the measure.

Senators will observe that the bill as it came to the Senate from the House appropriated \$1,589,155 in excess of the act for the current year. That seems like a large increase over the appropriations of the current year, but when this increase is analyzed it will be found that the principal items in it are absolutely necessary for the conduct of the administration of this District and for the purpose of carrying on the necessary improvements that are being made in the District. These items I wish to state briefly, in order that it may be seen how few of them there are.

Two years ago we provided for a municipal building in this District, the limit of cost being placed at a million and a half dollars, including the site. Last year the limit of cost was increased to \$2,000,000, including the site, its construction being provided for under a plan made by the architect selected for that purpose. The appropriation for this year over last for this purpose is \$50,000, being \$250,000 for the current year and \$300,000 for the fiscal year 1905.

It is well known that two years ago there was provision made for a new railway station in this District which will cost when completed a very large sum of money. The object had in view by those who prepared the legislation for it was to get rid of the grade crossings in this District and to provide whatever ought to be provided for by the District as respects the surroundings of the new station. This year the House increased the appropriation for that purpose \$300,000 over last year.

The House also made an increase in the bill of \$100,000 over the amount appropriated for the current year for the construction of the Connecticut avenue bridge, a bridge being provided for in former appropriation acts.

The House of Representatives also increased the bill over the act for the current year by providing for the reconstruction of the bridge across the Anacostia River, the present bridge having been declared unsafe.

The House also provided an appropriation for the filtration plant, increasing the appropriation for the current year \$968,155; this appropriation being the final appropriation to secure the completion of that important project.

There are some other small appropriations which perhaps might be noticed, but I shall not now stop to consider them. The increases which I have named amount to \$1,500,000, in round numbers, over the appropriations for the current year. These are increases made by the House of Representatives over the law for the current year. I think there can be no doubt but that all these appropriations are essential and proper to be made.

The Senate committee has increased the bill as it came to us from the other House \$1,168,727. These increases the Senate committee believe to be necessary and important in the conduct of the administration of the District.

The most important of these increases is an item of \$428,000 for what is known as the "highway bridge," a bridge which is being constructed immediately north of the new railway bridge across the Potomac River. This bridge is turning out to be an expensive project. When it was originally provided for the limit of cost was fixed at \$568,000, and an appropriation was made in the act for the whole amount. Two years later it was discovered that this limit of cost was wholly inadequate to construct a proper bridge there, including the approaches, and the limit of cost was increased to \$996,000; but no appropriation was made in addition to that found in the original act. Finding that this bridge is already under construction and that it will probably be completed within a year, or, at most, two years, the Senator from New Hampshire [Mr. GALLINGER] yesterday asked for an extension of time for the completion of this bridge one year, and it is, I think, absolutely necessary that the bill for that purpose should become a law. But those in charge of the construction of this bridge estimate that within the next fiscal year they can expend upon it \$428,000, which we have provided for in addition to the first appropriation made for it.

I might add, also, that it now appears that this \$996,000 will be inadequate for the completion of this structure on the plans adopted by the Engineer Department and approved by the Secretary of War. So a further appropriation of \$200,000 will probably be required, but we have not proposed that appropriation in this bill.

We found it necessary to increase the appropriation for country roads and suburban streets \$103,200 over the amount appro-



appropriated by the other House. We also increase the very large appropriation made by the House for sewerage in this District by \$110,000. I will say that the amount appropriated by the House and the amount recommended to be added by the Senate Committee on Appropriations will provide for the early completion of the sewerage system in this District. Probably one more additional series of appropriations will be required for the fiscal year beginning on the 1st day of July, 1905, which will complete the entire sewerage system in this District. So within the next two years the District will be fully provided with a practical, general sewerage system; and it will have on the 1st of December next, I hope—we are promised that we shall have it on the 1st of December next—the completion of the filtration plant, which will enable us to use water fit to be used in this District for all legitimate purposes.

We have also increased the appropriation for schools and school buildings \$81,872. We have added \$99,800 to the House provision relating to the fire department of the District. I might say the committee was very strongly pressed to begin the construction of what is known as the high-pressure fire-plant system in the District. The recent fire in the city of Baltimore seems to have alarmed the people here very greatly as respects their fire protection, and there seems to be a general concurrence of opinion among the citizens that this new plan of a high-pressure plant, costing \$750,000, should be entered upon.

Mr. PLATT of Connecticut. What is the nature of that plan?

Mr. ALLISON. That plan is intended to provide for a pumping station at or near the reservoir on the north side of the city, which shall pump water into what is known as the "high reservoir" at Fort Reno.

Mr. GALLINGER. If the Senator will permit me, the pumping station is already provided for. That will not have to be constructed.

Mr. ALLISON. But the water will have to be pumped. The pumping station is provided for in the general plan which we now have. It is intended that the water shall be pumped from that station into a reservoir at Fort Reno, which is 450 feet, more or less, higher than the ordinary level in the District of Columbia below the hills.

It is the intention to provide a new set of pipes for fire purposes, that the water shall be thrown into those pipes by means of gravity only; and it is believed that when that system is completed water can easily be thrown upon the highest buildings in the lower part of this city. Its principal use will be for the business portions of the city between Second street and Eighteenth street, and between K street and Pennsylvania avenue; but we did not feel that we could enter upon that project at this time. In lieu of it, however, the committee propose to increase the appropriation for the fire department beyond that provided by the House \$100,000 in round numbers, the chief expense of which will be for a fire boat, to move up and down the river front, which, when a fire occurs, will be equivalent in its results to probably eight or ten ordinary fire engines. That was strongly pressed upon us.

These are the principal increases proposed to be made to the bill by the Senate committee, amounting, in round numbers, to \$860,000 on these items.

We have also provided for the purchase of some ground for a police court.

The bill as reported to the Senate, therefore, by the Committee on Appropriations, increases the appropriations over those for last year \$3,725,107 in all. One-half of the amount of these appropriations, as Senators know, is paid by the General Government out of the Treasury of the United States, and the other half is paid from the revenue derived from the taxation upon property in the District.

It is estimated that the amount of the District revenues for the next fiscal year, exclusive of those derived from the water department, will be \$4,730,935, leaving, in round numbers, if the appropriations as recommended by our committee are finally made by Congress, a deficit of \$984,214. Including other items of necessary appropriation in the sundry civil appropriation bill, etc., the increases will probably be greater. We have provided, however, for this deficit in the last section of the bill, which authorizes the Secretary of the Treasury to advance, from time to time, this sum to the District, which shall be accounted for and repaid to the Treasury within five years, with interest at the rate of 2 per cent per annum.

It will be noted that this large increase arises chiefly from two or three projects, the principal of which are the filtration plant, the sewage project, and the bridge across the Potomac.

I make this explanation, Mr. President, in order that Senators may see, if they make these comparisons, that although we have made a large increase over the appropriations for the current year it is all for necessary projects that ought to be immediately completed. Unless some Senator desires further information as

to its general character, I will ask that the reading of the bill may be begun.

The Secretary proceeded to read the bill, which had been reported from the Committee on Appropriations with amendments.

The first amendment of the Committee on Appropriations was, on page 1, line 6, before the word "for," to insert "in full;" so as to read:

That the half of the following sums named, respectively, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the purposes following, being for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, etc.

Mr. PLATT of Connecticut. I suppose it may be considered a question showing my ignorance, but I should like to know the necessity for those two words "in full," which have been inserted. What is the meaning of them?

Mr. ALLISON. They do appear a little odd. I will say to the Senator, but the only object of their use is that in case it should appear somewhere that we have appropriated a less sum for salaries than the statutory sum, the amounts appropriated shall be received in full for the salaries, whatever the compensation may be, and for the time being must be the statutory compensation of those who are paid by salary under this bill.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "General expenses," on page 2, line 24, after the word "dollars," to insert "permit clerk, \$1,200;" so as to read:

Clerk, who shall be a stenographer and typewriter, \$900; messenger, \$480; permit clerk, \$1,200, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 8, after the word "clerk," to strike out "who shall give bond in such sum as the Commissioners may determine, and who shall, under the direction of the Commissioners, supervise the purchase and distribution and have custody of all supplies and stores for the use of the government of the District of Columbia;" in line 13, before the word "hundred," to strike out "eight" and insert "six;" in line 14, before the word "hundred," to strike out "six" and insert "four;" and in line 15, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" so as to read:

Property clerk, \$1,600; deputy property clerk, \$1,400; clerk, \$900.

The amendment was agreed to.

The next amendment was, on page 3, line 21, to increase the total appropriation for the maintenance of the executive office from \$75,064 to \$76,044.

The amendment was agreed to.

The next amendment was, on page 3, line 24, after the word "dollars," to insert "and \$500 additional as chairman of the excise and personal tax boards;" and on page 4, line 3, before the word "two," to strike out "assistant assessor, \$2,000; assistant assessor, \$1,600" and insert "two assistant assessors, at \$2,000 each;" so as to read:

For assessor's office: For assessor, \$3,500, and \$500 additional as chairman of the excise and personal tax boards; two assistant assessors, at \$2,000 each, etc.

The amendment was agreed to.

The next amendment was, on page 4, line 18, to increase the total appropriation for maintenance of the assessor's office from \$42,600 to \$43,500.

The amendment was agreed to.

Mr. GALLINGER. I will ask the Senator having in charge this bill if it will be agreeable to him, as the bill is being read, to have one or two little amendments made that the subcommittee overlooked?

Mr. ALLISON. It will be perfectly agreeable.

Mr. GALLINGER. On page 5, under the subhead "For collector's office," in line 5, after the words "deputy collector," I move to strike out "one thousand eight hundred" and insert "two thousand;" so that the salary of the deputy collector will be \$2,000, instead of \$1,800.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New Hampshire.

The amendment was agreed to.

Mr. ALLISON. Because of that amendment the total in line 13 on page 5 should be changed from \$19,400 to \$19,600.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 5, line 13, it is proposed to increase the total appropriation for the collector's office from \$19,400 to \$19,600.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 5, line 23, after the word "each," to strike out "clerk, \$1,000" and insert "two clerks, at \$1,000 each; two clerks, at \$900 each;" and on page 6, line 3, before the word "hundred," to strike out "twenty-two



thousand eight" and insert "twenty-five thousand six;" so as to make the clause read:

For auditor's office: For auditor, \$3,000; chief clerk, \$2,250; bookkeeper, \$1,800; two clerks, at \$1,000 each; two clerks, at \$1,400 each; three clerks, at \$1,200 each; two clerks, at \$1,000 each; two clerks, at \$900 each; messenger, \$600; disbursing officer, \$2,500; deputy disbursing officer, \$1,500; in all, \$25,650.

The amendment was agreed to.

The next amendment was, on page 6, line 9, after the word "dollars," to strike out "law clerk" and insert "fourth assistant corporation counsel;" in line 11, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" and in line 13, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" so as to make the clause read:

For office of corporation counsel: For corporation counsel, \$4,500; first assistant corporation counsel, \$2,500; second assistant corporation counsel, \$1,600; third assistant corporation counsel, \$1,600; fourth assistant corporation counsel, \$1,200; stenographer, \$600; messenger, \$600; in all, \$12,900.

The amendment was agreed to.

The next amendment was, on page 6, line 20, after the word "dollars," to insert "assistant morgue master, \$480; morgue janitor, \$400," and in line 23, before the word "dollars," to strike out "two thousand five hundred and twenty" and insert "three thousand four hundred and sixty;" so as to make the clause read:

For coroner's office: For coroner, \$1,800; morgue master, \$720; assistant morgue master, \$480; morgue janitor, \$400; in all, \$3,400.

The amendment was agreed to.

The next amendment was, on page 8, line 1, to increase the appropriation for the salary of superintendent of county roads from \$1,500 to \$1,800.

The amendment was agreed to.

The next amendment was, on page 8, line 8, before the word "dollars," to strike out "seven hundred and twenty" and insert "eight hundred and forty;" and in line 9, before the word "messenger," to insert "clerk, \$900;" so as to read:

Assistant inspector of gas and meters, \$840; clerk, \$900, etc.

The amendment was agreed to.

The next amendment was, on page 8, line 17, after the word "dollars," to insert "draftsman, \$1,200; stenographer and typewriter, \$900;" and in line 25, before the word "dollars," to strike out "sixty-five thousand five hundred and twelve" and insert "sixty-eight thousand nine hundred and thirty-two;" so as to read:

Clerk, \$1,400; draftsman, \$1,200; stenographer and typewriter, \$900; two clerks, at \$1,000 each; two inspectors of property, at \$900 each; permit clerk, \$1,400; permit permit clerk, \$840; index clerk and typewriter, \$720; in all, \$68,932.

Mr. ALLISON. I move to amend the amendment of the committee, in line 19, by striking out the words "nine hundred" and inserting "one thousand;" so that the salary of the stenographer and typewriter in the engineer's office will be \$1,000 instead of \$900.

The amendment to the amendment was agreed to.

Mr. ALLISON. I also move to change the total, in line 24, page 8, from \$68,932, as proposed by the committee, to \$69,032.

The amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed and continued down to line 14, on page 9.

Mr. PLATT of Connecticut. We have just passed the paragraph appropriating \$25,100 for the street-sweeping office. I suppose that does not include the expense of sweeping the streets, but I should like to inquire whether any addition has been anywhere made to this bill, so that we can have the streets here a little cleaner than we have been in the habit of having them.

Mr. ALLISON. That matter is taken care of in another part of the bill.

Mr. PLATT of Connecticut. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 10, line 12, after the word "District," to insert the following proviso:

*Provided*, That the Commissioners of the District of Columbia are authorized hereafter, in their discretion, to grant leave of absence with pay, not to exceed thirty days to any individual in any one year, to regular employees appointed directly by the Commissioners, whose services are continuous, but who receive per diem compensation, and have been in the continuous service of the District for one year.

The amendment was agreed to.

The next amendment was, on page 10, line 21, before the word "thousand," to strike out "two" and insert "three;" in line 24, after the word "dollars," to insert "laborer, \$600," and in line 25, before the word "dollars," to strike out "seven thousand" and insert "eight thousand six hundred;" so as to make the clause read:

Department of Insurance: For superintendent of insurance, \$3,500; examiner, \$1,500; clerk, \$1,000; statistician, \$1,400; temporary clerk hire, \$600; laborer, \$600; in all, \$8,000.

The amendment was agreed to.

The next amendment was, on page 11, line 6, before the word "thousand," to strike out "fifteen" and insert "eighteen;" and in line 7, before the word "thousand," to strike out "twenty" and insert "twenty-three;" so as to make the clause read:

For surveyor's office: For surveyor, \$3,000; assistant surveyor, \$1,800; for such additional employees as may be required, in accordance with the provisions of the act of Congress making the surveyor of the District of Columbia a salaried officer, \$18,200; in all, \$23,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 7, to strike out:

For resurvey of certain squares in the eastern part of the city of Washington, and placing monuments at corners of same, to replace original monuments destroyed during the civil war, \$1,200.

The amendment was agreed to.

The next amendment was, on page 11, line 14, after the word "dollars," to insert "assistant librarian, \$900;" in line 19, before the word "cataloguers," to strike out "temporary;" in line 21, before the word "attendants," to strike out "two" and insert "three;" in line 22, before the word "attendants," to strike out "three" and insert "four;" on page 12, line 4, after the word "each," to insert "watchman, \$480;" and in line 6, before the word "dollars," to strike out "twenty thousand three hundred and sixty" and insert "twenty-two thousand five hundred and eighty;" so as to make the clause read:

Free public library: For librarian, \$2,500; assistant librarian, \$1,000; assistant librarian, \$600; three assistants, at \$720 each; two assistants, at \$900 each; three assistants, at \$540 each; cataloguer, \$900; cataloguer, \$720; cataloguer, \$900; three cataloguers, at \$540 each; stenographer and typewriter, \$720; three attendants, at \$480 each; four attendants, at \$360 each; two messengers, at \$360 each; four pages, at \$240 each; two janitors, at \$480 each; engineer, \$500; fireman, \$540; workman, \$480; four charwomen, at \$180 each; watchman, \$480; in all, \$22,580.

The amendment was agreed to.

Mr. ALLISON. On page 11, line 15, after the word "each," I move to strike out "two" and insert "three;" so that it will provide for three assistants at the free public library at \$600 each, instead of two.

The amendment was agreed to.

Mr. ALLISON. The amendment just adopted will necessitate a change of the total; and I move that the total on page 12, line 5, be increased from \$22,580 to \$23,180.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Contingent and miscellaneous expenses," on page 13, line 5, to increase the appropriation for contingent expenses of the government of the District of Columbia from \$38,200 to \$40,500.

Mr. PLATT of Connecticut. I do not see that any amendment has been made in the paragraph for contingent and miscellaneous expenses, and I inquire why the total should be increased.

Mr. ALLISON. It is a lump sum.

Mr. PLATT of Connecticut. Oh, that is it.

Mr. ALLISON. The appropriation for contingent and miscellaneous expenses is increased from \$38,200 to \$40,500.

Mr. PLATT of Connecticut. Very well.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 14, after line 4, to insert:

For postage for strictly official mail matter, \$5,000.

The amendment was agreed to.

The next amendment was, on page 14, line 21, before the word "coroner's," to insert "livery of horse or horse hire for;" in line 22, before the word "removal," to insert "witness fees;" in the same line, after the word "persons," to insert "including the purchase and maintenance of horse and wagon for that purpose;" in line 25, before the word "and," to insert "telephone service;" and on page 15, line 3, before the word "dollars," to insert "five hundred;" so as to make the clause read:

For livery of horse or horse hire for coroner's office, jurors' fees, witness fees, removal of deceased persons, including the purchase and maintenance of horse and wagon for that purpose, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking of testimony, and photographing unidentified bodies, \$2,500.

The amendment was agreed to.

The next amendment was, on page 15, after line 16, to insert:

For resurvey of certain squares in the eastern part of the city of Washington, and placing monuments at corners of same, to replace original monuments destroyed during the civil war, \$1,200.

The amendment was agreed to.

The next amendment was, on page 15, after line 20, to insert:

For purchase of the plats and field notes of Mr. William J. Latimer, private surveyor, containing survey data of that part of the District of Columbia lying southeast of the Anacostia River, \$7,500.

The amendment was agreed to.

The next amendment was, on page 16, line 1, after the word "dollars," to strike out:

Which sum shall not be available except for constructing said building on plans that will provide for a building six stories high on all sides, with suit-



able accommodations therein for the offices of the register of wills, recorder of deeds, and the police court, in addition to the offices and departments now designed to be accommodated therein, and with a sub-basement story of sufficient height of ceiling to afford suitable accommodations for heating and lighting plant and for a repair shop for the District of Columbia.

So as to make the clause read:

For continuing work on the municipal building, \$300,000.

Mr. PLATT of Connecticut. May I be indulged to ask the chairman why this is stricken out? I suppose it is entirely proper, but I should like some explanation of it.

Mr. ALLISON. It will be seen by the reading of the amendment—

Mr. PLATT of Connecticut. It changes the original plan?

Mr. ALLISON. That the House proposed to change the original plan by providing for placing in the new municipal building the office of the register of wills, which is now in the court-house on Judiciary square, and that of the recorder of deeds, which is also in the court-house on Judiciary square.

Mr. PLATT of Connecticut. And the police court.

Mr. GALLINGER. And the police court.

Mr. ALLISON. And the police court, which is now near Judiciary Square, and also to alter the basement as to allow plans for a repair shop in the basement of this new building.

Mr. PLATT of Connecticut. So the House changed the original plan.

Mr. ALLISON. The House changed the original plan, and provided that the appropriation should not be available until the plan was so changed as to provide for these additional accommodations.

Mr. PLATT of Connecticut. I think the committee is quite right, especially do I think that we ought not to have a repair shop in the basement of the municipal building, whatever the other items may be.

Mr. ALLISON. There was great objection by the lawyers of the District to the removal of the offices of the register of wills and the recorder of deeds, these offices being now convenient to where the courts are held. There was also very great objection to placing the police court in the municipal building, and the carpenter shop was considered wholly inadmissible by the committee, after making full examination of the subject.

In addition to that the necessary changes and alterations would cost from three hundred and fifty to four hundred thousand dollars in the construction of the building. Therefore, after very full consideration, the committee recommend that this provision be stricken out.

Mr. PLATT of Connecticut. And very properly.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations. The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 16, after line 9, to insert:

For metal shelving, bookcases, and racks in the office of the recorder of deeds of the District of Columbia, \$10,000, or so much thereof as may be necessary, to be expended by the Superintendent of the Capitol.

The amendment was agreed to.

The next amendment was, on page 16, after line 13, to insert:

For metallic cases for card index for office of register of wills of the District of Columbia, \$750.

The amendment was agreed to.

The next amendment was, on page 16, after line 16, to insert:

For carrying out the provisions of the act approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," to pay the members of the board of survey provided for therein, other than the inspector of buildings, at a compensation of \$10 each survey, and to pay the cost of making safe or removing such buildings upon the refusal or neglect of the owners so to do, \$2,000.

The amendment was agreed to.

The next amendment was, on page 17, line 21, before the word "grade," to strike out "of" and insert "or;" so as to read:

For purchase or condemnation of the land necessary for the plaza and new streets, and for reconstructing, grading, and paving, together with the necessary incidental work in connection therewith, the streets, avenues, and ways changed in line or grade or newly created under the provisions of said acts, etc.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to insert:

For paving roadways under the permit system, \$10,000.

The amendment was agreed to.

The next amendment was, on page 19, line 15, to increase the appropriation for work on streets and avenues named in Appendix Cc. Book of Estimates, 1905, from \$60,000 to \$100,000.

The amendment was agreed to.

The next amendment was, on page 19, line 20, to increase the appropriation for the Georgetown schedule from \$4,000 to \$6,800.

The amendment was agreed to.

The next amendment was, on page 19, line 23, to increase the appropriation for the northwest section schedule from \$13,000 to \$21,600.

The amendment was agreed to.

The next amendment was, on page 19, line 24, to increase the appropriation for the southwest section schedule from \$8,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 20, line 2, to increase the appropriation for the southeast section schedule from \$22,000 to \$36,000.

The amendment was agreed to.

The next amendment was, on page 20, line 30, to increase the appropriation for the northeast section schedule from \$15,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to insert:

For repaving Fourteenth street between Pennsylvania avenue and F street NW., \$4,500.

The amendment was agreed to.

The next amendment was, on page 21, after line 5, to insert:

For repaving with asphalt Tenth street between G and Water streets SW., \$2,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 7, to insert:

For paving with asphalt Seventh street NW. from Pennsylvania avenue to E street and from G street to north side of New York avenue, \$24,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 4, to insert:

For Columbia road between Fourteenth and Sixteenth streets, pave, \$5,200.

The amendment was agreed to.

The next amendment was, on page 23, after line 6, to insert:

For Yale street between Thirteenth and Fourteenth streets, pave, \$8,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 8, to insert:

For Clifton street between Eleventh and Thirteenth streets, grade, \$7,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 10, to insert:

For Lanier avenue, grade and improve, \$5,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 12, to insert:

For Twentieth street from Brentwood road to Queen's Chapel road, grade and improve, \$4,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 14, to insert:

For Pennsylvania avenue extended, grade, \$5,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 16, to insert:

For California avenue from Phelps place to Massachusetts avenue, grade and improve, \$6,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 19, to insert:

For Connecticut avenue extended, grade and improve, \$10,000.

Mr. ALLISON. I move to amend the amendment by striking out "ten" and inserting "twenty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 23, after line 21, to insert:

For Woodley road from Wisconsin avenue to Idaho avenue, grade and improve, \$2,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 23, to insert:

For Albemarle street east of Connecticut avenue, grade and improve, \$5,000.

The amendment was agreed to.

The next amendment was, at the top of page 24, to insert:

For Twenty-second street from Decatur place to S street NW., improvement, \$5,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 2, to insert:

For S street, North Capitol to First street west, grade and pave, \$7,200.

The amendment was agreed to.

The next amendment was, on page 24, after line 4, to insert:

For Quincy street from North Capitol street to Florida avenue, pave, \$6,300.

The amendment was agreed to.

The next amendment was, on page 24, after line 6, to insert:

For Sherman avenue from Florida avenue to Irving street, grade and improve, \$7,500.

The amendment was agreed to.

The next amendment was, on page 24, after line 9, to insert:

For Dover street, Brookland, from Twelfth to Thirteenth streets, grade and improve, \$2,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 11, to insert:

For Eighth street, Petworth, from Richmond to Trenton streets, grade and improve, \$4,000.

The amendment was agreed to.



The next amendment was, on page 24, after line 13, to insert:

For Grant street NW., between Eighteenth street and Nineteenth street, grade and improve, \$7,500.

The amendment was agreed to.

The next amendment was, on page 24, after line 16, to insert:

For Q street, between Twenty-second and Twenty-third streets NW., pave, \$5,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 18, to insert:

For Shepherd street NW., from Connecticut avenue extended to Idaho avenue, grade and macadamize, \$8,000. *Provided*, That all the land necessary therefor shall be conveyed to the District of Columbia and dedicated to public use.

The amendment was agreed to.

Mr. ALLISON. After line 23, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment, which will be stated.

The SECRETARY. On page 24, after line 23, it is proposed to insert:

For Seventh street NE., from Bunker Hill road to Rhode Island avenue, grade and improve, \$3,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 25, line 6, before the word "thousand," to strike out "nine" and insert "five;" and in the same line after the word "dollars," to insert "to be immediately available;" so as to make the clause read:

For Rhode Island avenue NW., from First to Second streets, pave, \$5,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 25, line 19, to increase the appropriation for construction of county roads and suburban streets from \$44,000 to \$146,200.

Mr. ALLISON. That total should be \$161,200.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 25, after line 20, to insert:

For grading and macadamizing according to the plans of the first section permanent system of highways, Fourteenth street from its present terminus at Lydecker avenue, with the same width of roadway now open immediately south of said avenue to the junction, near Brightwood, of said street extended with Piney Branch road, including connecting line of avenue where Fourteenth street is shifted from its direct extension, and for the removal, with the assent of owners, of houses and barns or other improvements which may be within the lines of said street to adjacent sites of present owners, \$20,000, the whole cost of said work under a contract which is hereby authorized therefor, not to exceed \$50,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 9, to insert:

To enable the Commissioners of the District of Columbia to purchase the pieces or parcels of ground necessary for the right of way of said street, which they are hereby authorized to do, or for paying in condemnation proceedings hereby authorized pursuant to sections 483 to 491, inclusive, of the Code of Law for the District of Columbia, any damages or excess of damages over benefits that may be allowed to the owner or owners of land to be taken, should there be any damages found in such proceedings or any damages found in excess of benefits, \$7,500: *And provided further*, That if the Commissioners of the District of Columbia, in their discretion, pursuant to said section 491, reject the award or awards in such condemnation proceedings, or if the benefits exceed the damages to an amount over \$7,000, the appropriations aforesaid of \$20,000 and \$7,500 shall revert to the Treasury of the United States, except \$500 of the latter appropriation, which shall be chargeable with the costs of the proceedings in respect to said condemnations.

The amendment was agreed to.

The next amendment was, on page 27, line 22, before the word "dollars," to strike out "including not exceeding \$5,500 for sidewalks and curbs around Lincoln Park, ten thousand" and insert "twelve thousand five hundred;" so as to make the clause read:

For replacing and repairing sidewalks and curbs around public reservations and municipal buildings, \$12,500.

The amendment was agreed to.

The next amendment was, on page 28, after line 7, to insert:

For completing construction, including approaches, of the highway bridge across the Potomac River at Washington, D. C., and for any and all purposes connected therewith, \$428,000.

Mr. ALLISON. On page 28, line 12, after the word "dollars," I move to insert what I send to the desk.

The SECRETARY. On page 28, after the word "dollars," in line 12, it is proposed to insert:

And the total cost of said bridge and approaches shall not exceed \$1,193,000.

The amendment to the amendment was agreed to.

Mr. ALLISON. I also wish to modify the amendment in line 8 by striking out the word "completing" and inserting the word "continuing."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, after line 12, to insert:

For construction of a concrete bridge across Piney Branch on the line of Sixteenth street extended, \$20,000; and the Commissioners of the District of

Columbia are authorized to enter into a contract or contracts for the construction of said bridge at a total cost not to exceed \$50,000, to be paid from time to time as appropriations therefor may be made by law.

The amendment was agreed to.

The next amendment was, on page 28, line 20, before the word "of," to strike out "repair" and insert "reconstruction;" and in line 24, before the word "of," to strike out "repair" and insert "reconstruction;" so as to read:

For the reconstruction of the Anacostia bridge, under direction of the Commissioners of the District of Columbia, \$100,000, and the said Commissioners are authorized to enter into a contract or contracts for the reconstruction of said bridge, to be completed within two years from July 1, 1904, at a cost not to exceed \$50,000, to be paid from time to time as appropriations therefor may be made by law.

The amendment was agreed to.

The next amendment was, on page 29, line 3, after the word "law," to strike out the following proviso:

*Provided, however*, That before any part of this sum shall be used the Anacostia and Potomac River Railroad Company shall pay to the collector of taxes of the District of Columbia the entire cost of the pavement lying between the exterior rails of the tracks and for a distance of 2 feet from the said exterior rails of said tracks on each side thereof and the entire floor system supporting said pavement, and said collector shall deposit one-half of same in the United States Treasury to the credit of the District of Columbia and one-half to the credit of the United States, nor shall said appropriation be available until said railroad company shall agree to assume one-half the cost of maintenance and repair of said new bridge, to be collected in the same manner as the cost of laying pavements between the rails and tracks of street railways as provided for in section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878: *Provided further*, That this appropriation shall not be available until the Anacostia and Potomac River Railroad Company shall agree that any other railroad company, now or hereafter authorized by Congress to use said bridge, shall have the right to use the tracks of the Anacostia and Potomac River Railroad Company thereon upon such reciprocal trackage and such compensation as may be mutually agreed upon, and in case of failure to reach such an agreement that the supreme court of the District of Columbia shall, upon petition filed by either party, fix and determine the same.

And insert:

*Provided*, That the Anacostia and Potomac River Railroad Company shall pay the entire cost of the pavement between the exterior rails of its tracks on said bridge and for a distance of 2 feet from the said exterior rails of said tracks on each side thereof and the cost of the entire floor system supporting said pavement, to be collected and reimbursed to this appropriation in the same manner as the cost of laying pavements between the rails and tracks of street railways as provided for in section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878: *Provided further*, That any other railroad company now or hereafter authorized by Congress to use said bridge shall have the right to use the tracks of the Anacostia and Potomac River Railroad Company thereon upon such reciprocal trackage and such compensation as may be mutually agreed upon, and in case of failure to reach such an agreement that the supreme court of the District of Columbia shall, upon petition filed by either party, fix and determine the same. And hereafter one-half of the cost of the maintenance and repairs of this bridge shall be borne by the said railway company or companies, and shall be collected in the same manner as the cost of laying pavements between the rails and tracks of street railways as provided for above. The amounts thus collected shall be deposited to the credit of the appropriation from which such maintenance and repairs shall be paid for the fiscal year in which they are collected.

Mr. TELLER. I should like to inquire of the chairman of the committee who owns the bridge referred to?

Mr. ALLISON. It is owned by the Government of the United States, as I understand, and the railroad has the right to cross it. These provisions simply continue and perfect the arrangement.

Mr. TELLER. Was this bridge originally constructed with some such agreement?

Mr. ALLISON. It was not; but I think the railroad tracks were put upon the bridge under some agreement of this character.

Mr. TELLER. It strikes me that if the Government owns the bridge the Government is hardly keeping such a control over it under this arrangement as it ought to have. However, I do not want to interfere with the committee which considered this matter.

Mr. ALLISON. I think this whole provision is well guarded for the protection of the Government in every way. It was desired by the Commissioners that the interchangeable arrangement should be made. But the substance of the two provisions is the same.

Mr. TELLER. It seems to me from a hasty examination that I should prefer the House provision to the Senate provision. But I will not interfere with it.

Mr. ALLISON. I will call attention to one idea. The House provision required the railroad company to pay the entire cost of the pavement between the rails, etc., before any of this appropriation should be available. That is practically impossible.

And the last clause in the amendment proposed by the Senate committee is for the protection of the Government as respects these various sums of money that are provided for.

Mr. TELLER. All I care to say is that it seems to me we ought to retain for the Government the right to determine when and what other railroads shall come over the bridge. But I was not in the committee when this matter was considered, and as the committee has considered it I do not wish to make any suggestions about it. The question will be in conference anyway.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of



the Committee on Appropriations was, on page 32, after line 23, to insert:

For completion of the Arizona avenue sewer, \$35,000. And the Commissioners of the District of Columbia are authorized to enter into contract for the completion of said sewer at a cost not to exceed \$178,000, exclusive of appropriations heretofore made therefor.

The amendment was agreed to.

The next amendment was, on page 33, after line 4, to insert:

For Ivy City trunk sewer, \$25,000. And the Commissioners of the District of Columbia are authorized to enter into contract for the whole work at a cost not to exceed \$50,000.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 33, line 23, before the word "storage," to insert "stable and;" and on page 34, line 2, after the word "expenses," to insert "not properly chargeable to the general appropriation for contingent expenses of the government of the District of Columbia;" so as to read:

Sprinkling, sweeping, and cleaning: For sprinkling, sweeping, and cleaning streets, avenues, alleys, and suburban streets, including rent of stable and storage rooms; purchase, maintenance, and livery of horses; purchase, maintenance, and repair of wagons and harness, and necessary incidental expenses not properly chargeable to the general appropriation for contingent expenses of the government of the District of Columbia, and work done under existing contracts, as well as hand work done under the immediate direction of the Commissioners without contract, etc.

The amendment was agreed to.

The next amendment was in the appropriation for sprinkling, sweeping, and cleaning streets, on page 34, line 17, before the word "thousand," to strike out "one hundred and ninety" and insert "two hundred;" so as to make the proviso read:

Provided, That whenever it shall appear to the Commissioners that said latter work can not be done under their immediate direction at 19 cents or less per 1,000 square yards, in accordance with the specifications under which the same was last advertised for bids, it shall at once be their duty to advertise to let said work under said specifications to the lowest responsible bidder, and if the same can not be procured to be done at a price not exceeding 20 cents per 1,000 square yards, they may continue to do said work under their immediate direction, in accordance with said specifications; \$200,000, and the Commissioners shall so apportion this appropriation as to prevent a deficiency therein.

Mr. PLATT of Connecticut. I suppose this is the item which relates to the work of cleaning the streets?

Mr. ALLISON. It is.

Mr. PLATT of Connecticut. I see that the amount has been increased from \$190,000 to \$200,000, but I do not see that any change is contemplated in the method of cleaning the streets.

I wish to say that I think there ought to be something done in that direction. I do not know that it can be done in this bill, but it is observed by those who reside here, and more particularly observed, I think, by all persons who come here from all portions of the United States, that the streets here are unusually and indefensibly dirty. I really feel that it is a matter which somebody ought to look after.

I have no plan; I do not know but that the present plan of sweeping and cleaning the streets is as good as any, but I suppose the plan has been changed from the old system of flushing the streets and sweeping them with brooms drawn by horses to this plan, which is called the employment of "white-winged" people, laborers dressed at some time in white.

Mr. ALLISON. In the morning.

Mr. TELLER. Some mornings.

Mr. PLATT of Connecticut. I would say dressed some weeks in white, no change of their garments having been made until they are no longer white when they are in service.

I have observed another thing, that they have a pretty good time apparently. I suppose they are called workmen, but from my observation I should think they were having a pretty easy time and not working very hard.

The result of it all is that the streets are in a deplorable condition. It has its amusing side, but at the same time it has its serious side. I think there should be some change in the way in which this work is done, that it should be thoroughly done, and that the streets should be kept clean.

Mr. TELLER. Cleaner than they are.

Mr. ALLISON. I am glad that this motion, instructive as it will be—

Mr. PLATT of Connecticut. I beg the Senator's pardon. I was not criticising the committee or attempting to do so.

Mr. ALLISON. I understand. I was about to say that the little criticism, kindly and gently administered by the Senator, of course, will apply to the Commissioners of the District of Columbia—

Mr. PLATT of Connecticut. More properly, I think.

Mr. ALLISON. And more correctly, perhaps, to the superintendent of street sweeping. The Commissioners are aware of the defective situation as respects street sweeping; and they said to the committee that they are studying carefully the problem of economical and at the same time effective street sweeping. This provision gives them a large discretion in that matter, and I have

no doubt they will utilize this appropriation in doing the very best possible to keep the streets clean. Of course it has not been possible to keep them clean on a good many days during the last winter.

Mr. GALLINGER. On this point, Mr. President, I wish to say, as chairman of the Committee on the District of Columbia, that a great many complaints have come to that committee from residents and from people who have traveled abroad, calling the attention of the committee to the fact that the streets are in a much worse condition, so far as cleanliness is concerned, than they formerly were.

The Senator from Iowa has explained that this matter was called to the attention of the Commissioners. The amount appropriated by the House is increased \$10,000, and the Commissioners have promised to give very careful consideration to the question, saying to the committee that they have in contemplation, to some extent at least, a return to the former method, to which the Senator from Connecticut has called attention—the flushing of the streets and the sweeping of them with machines drawn by horses.

I think, Mr. President, the mistake made was that in the city of New York, under the administration of a very competent man, where the streets are narrow, they adopted the system of hand-sweeping and it proved there very efficient. It was transplanted to the city of Washington, where we have very wide streets and avenues, and it has proved not to be a good system; at least it so occurs to me. Men with their hand brooms have swept up the dirt in a heap at one side of a broad avenue, and before they had time to take it away a gust of wind has come and swept it across to the other side. That is precisely what has been going on in this city to my personal knowledge. I am glad that the Senator from Connecticut has called attention to it. I think something ought to be done in that regard.

Mr. TELLER. I should like to inquire whether the present system is one of contract?

Mr. GALLINGER. It is a contract.

Mr. ALLISON. It is also a matter in the discretion of the Commissioners. They make contracts or they hire men to clean the streets in their own discretion.

Mr. TELLER. I do not believe it is wise for the Commissioners of the capital of the nation to hire anyone to clean the streets by contract. They lose practical control of it. We all know that on the main avenue of this city in the last winter it was not unusual to see the dirt piled up along the street, where it had been sometimes for three or four days. I do not believe that ought to be allowed.

Mr. ALLISON. If the Senator will look at the proviso on page 34 of the bill, he will see that it provides that "whenever it shall appear to the Commissioners that said latter work can not be done under their immediate direction at 19 cents or less per thousand square yards, in accordance with the specifications under which the same was last advertised for bids"—that is, if the bids are not satisfactory—they are required to go on with the work under their own immediate supervision.

Mr. TELLER. I understand that; and if the Commissioners find it is costing a certain sum, then they are to try and see whether they can not get it done cheaper by bids.

Mr. President, I think, while we want to have the work done as cheaply as possible, what we want to do in this capital city is to see that we have clean streets, and if they can be made cleaner by the Commissioners taking charge of the work, even if they spend a little more money, I think the public would be better satisfied and it would be more in accordance with the dignity and character of the General Government to have it done in that way.

Mr. NEWLANDS. Mr. President, I should like to inquire of the Senator from Iowa whether the full amount of the estimate of the Commissioners was allowed in this item of street cleaning?

Mr. ALLISON. The estimate was \$220,000.

Mr. NEWLANDS. And what is the amount allowed?

Mr. ALLISON. The House appropriated the amount allowed for this year, and the Senate committee recommend an increase of \$10,000.

Mr. NEWLANDS. What is the total amount of the allowance?

Mr. ALLISON. The total amount of the allowance is \$200,000. The Commissioners estimated for \$220,000.

Mr. NEWLANDS. That is \$20,000 under the estimate?

Mr. ALLISON. It is.

Mr. NEWLANDS. I made inquiry of the Commissioners several times regarding this matter, and I think it has been called to the attention of almost everybody. They tell me that owing to the extraordinary expenditures for capital projects, such as bridges, etc., and permanent improvements, sufficient money has not been allowed for the current expenditures of the District, and particularly those expenditures covering street cleaning, street paving, and the repair of county roads.

It seems to me, as they have made an estimate of \$220,000, and the difference between an inefficient service and a perfect service



(for I presume their estimate covers a perfect service) is only \$20,000, it would be wise to increase the amount of the appropriation. I ask the Senator from Iowa whether that can not be done?

Mr. ALLISON. It could be done, Mr. President, if we want to expend that amount of money. The number of streets to be cleaned and to be swept is wholly in the discretion of the Commissioners of the District of Columbia. They ask, as I understand it, for this additional sum of money, \$10,000, in order to enlarge the number of streets to be swept. I think in the committee, although there was very little expressed on the subject, there was a general opinion that they ought to do well what they are now doing before we enlarge the number of streets. There is no limit to the number of streets the Commissioners may authorize to be swept. Whatever they authorize to be swept ought to be well done. That was the view we had, and we increased the amount \$10,000 over the appropriation made by the House, which we supposed to be about all we could fairly expect to finally pass the two Houses. This service costs \$190,000 this year.

The amendment was agreed to.

The next amendment was, on page 34, line 26, to increase the appropriation for cleaning snow and ice from cross walks and gutters, under the act approved March 2, 1895, from \$1,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 35, line 12, to increase the appropriation for the parking commission from \$25,000 to \$30,000.

The amendment was agreed to.

The next amendment was, on page 35, line 17, to increase the appropriation for the improvement and protection of the harbor and river front from \$3,000 to \$3,500.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 36, line 7, before the word "repair," to strike out "three" and insert "four;" and in line 11, before the word "dollars," to strike out "two hundred and twenty" and insert "nine hundred and forty;" so as to make the clause read:

For superintendent, \$1,600; inspector of lamps, \$1,000; electrician, \$1,200; draftsman, \$1,000; three telegraph operators, at \$1,000 each; three inspectors, at \$300 each; expert repair man, \$900; four repair men, at \$720 each; three telephone operators, at \$600 each; two laborers, at \$400 each; in all, \$16,940.

The amendment was agreed to.

The next amendment was, on page 36, line 19, to increase the appropriation for general supplies, repairs, new batteries, and battery supplies, telephone rental and purchase, etc., from \$15,000 to \$18,000.

The amendment was agreed to.

Mr. ALLISON. Before proceeding to the consideration of the next amendment, which is one perhaps that will lead to some little debate, I ask leave to go back to page 8, line 5. After the word "dollars" I move to insert what I sent to the desk. It is a proviso.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 8, line 5, after the word "dollars," insert:

*Provided*, That said inspector of asphalt and cements shall not render expert advice to or perform service for or receive or accept compensation of any kind from any person, firm, corporation, or municipality, other than the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 36, line 19, after the word "dollars," to strike out the following proviso:

*Provided, however*, That no part of the money herein appropriated shall be used for the payment to any person or telephone company doing business in the District of Columbia for the hire of or use of any telephone or for any telephone service, except at the following rates: Fifty dollars per annum for the use of a telephone on a single wire; \$40 per annum for each telephone, there being not more than two on a wire; \$30 per annum for each telephone, there being not more than three on a wire; \$25 per annum for each telephone, there being four or more on the same wire; and no contract shall be made with any person or telephone company in excess of the charges herein specified: *Provided*, That the above rates and no more may be charged by the telephone companies doing business in the District of Columbia to their patrons receiving service in private residences; and any violation of the above provision is hereby declared to work a forfeiture of all rights to conduct a telephone business within the District of Columbia.

And to insert in lieu thereof the following:

*Provided*, That no part of the money herein appropriated shall be used for payment to any telephone company doing business in the District of Columbia for the use of any telephone within said District for communicating therefrom to any other telephone connected to a central office of such company in the District of Columbia except at the following rates: Sixty dollars per annum for a telephone on an individual metallic circuit, \$48 per annum for each telephone on the same premises, there being not more than two on the same metallic circuit, and no contract shall be made with any telephone company for such use of such telephones in excess of the rates herein specified: *Provided*, That until the population of the city of Washington shall be 350,000 or over no more than the above specified rates shall be charged by any telephone company doing business in the District of Columbia for such use of such telephones at private residences within the District of Columbia, and any acts or parts of acts heretofore enacted fixing telephone rates for grounded circuits in the District of Columbia are hereby repealed: *Provided further*, That the refusal of the company to comply with the provisions of this act shall be a misdemeanor, and such refusal shall subject the company to a fine of not less than one nor more than five hundred dollars for each and every offense.

Mr. STEWART. Mr. President, this subject of telephone service came before the Committee on the District of Columbia some two or three years ago, and the committee gave parties a several days' hearing. It arose on an application to incorporate another company. The old company made wonderfully good promises, and on their good promises the committee failed to indorse the project that had come from the House. The committee gave them another trial. I fear we adopted the wrong policy. The service is not good. I think it is worse than it is in almost any other city. The charges are certainly sufficiently high to furnish good service. They said they could do it and they have not done it.

I rather think that the House has done about right. The telephone company ought to be brought up and made to comply. We ought to have good telephone service here. The theory is that Congress can control them, but this particular company has been out from under the control of Congress all the time. They go to the Supreme Court on the question whether they are bound to pay the rates fixed by Congress, and they continue in that way. I am inclined to think that we had better follow the House provision. I do not think it is too severe under the circumstances. They will not comply with that provision, and they will not comply with the Senate amendment if it is passed. They are not going to comply if they are not compelled to do so, and I do not know any way to compel them.

I am sorry we did not organize an independent company. I am sorry now that I did not vote to organize an independent company. But the injury to the streets by tearing them up was obvious, and the promises of this company were very fine. But they have gone on in the same way, and I think every Senator here and every Member of the House and the whole community knows that the service is not good.

Mr. CLAY. I see the Senate amendment reduces the amount fixed by the House. The House provision reads as follows:

Fifty dollars per annum for the use of a telephone on a single wire; \$40 per annum for each telephone, there being not more than two on a wire; \$30 per annum for each telephone, there being not more than three on a wire, etc.

What rates are we paying now?

Mr. GALLINGER. I will say to the Senator from Georgia that the rate is \$72 now where the Senate committee makes the rate \$60, and \$60 where the Senate committee makes it \$48, and for good and sufficient reasons, which the Senator from Iowa will explain, I have no doubt.

Mr. STEWART. I should like to hear some explanation.

Mr. CLAY. The House reduced the rate from \$72?

Mr. GALLINGER. From \$72 to \$50.

Mr. CLAY. The Senate committee proposes to reduce it from \$72 to \$60?

Mr. GALLINGER. Precisely. The House reduced another rate from \$60 to \$40, and the Senate committee proposes to reduce it from \$60 to \$48.

Mr. STEWART. I should like to hear from the chairman what the prospect is, if this amendment is adopted, of inducing or compelling the company to observe these rates.

Mr. GALLINGER. The Senator will observe that there is a penalty attached to the clause.

Mr. STEWART. I do not know whether we can do anything with them. It is a most tremendous company, a most annoying company, a most aggravating company. I do not know whether anything can be done with them or not; but if the chairman of the committee has got a way out to suggest, I should like to hear it.

Mr. ALLISON. Mr. President, this has been somewhat of a difficult question, which I had hoped the Committee on Appropriations would escape and the Committee on the District of Columbia, which seems to be the proper committee to deal with this question, would be able to solve by means of some legislation upon the subject. But the House of Representatives dealt with this question on the pending bill, and, of course, we were obliged to take it up and consider it as best we could in the limited time we had for its consideration. We found, however, at the threshold of the consideration of the provision inserted by the House that it is not an adequate provision to deal with the question. It is in substance a reenactment of the law of 1898; in fact, I am not quite sure but that it is the same provision exactly.

Mr. STEWART. Let me ask the Senator if there would be any difficulty in inserting rates fixed by the House in the provision reported by the Senate committee?

Mr. ALLISON. Of course we can insert the same rates under different conditions. The House provision is as follows, reading only the first clause: "That no part of the money," etc., shall be paid "for any telephone service, except at the following rates: Fifty dollars per annum for the use of a telephone on a single wire."

That is the clause which was inserted in the appropriation act of 1898, and under it the supreme court of the District of Columbia decided that it was an unreasonable rate. The matter went



to the appellate court of the District of Columbia, and I believe they reversed that decision. The matter was then appealed to the Supreme Court of the United States, and they decided that under the provisions of the law it was manifest that only one kind of telephone was to be under consideration and they were not able to judge which was intended, whether it was a telephone upon what is known as a grounded circuit or upon a telephone with a metallic circuit.

Thereupon they returned the case to the appellate court of the District of Columbia to take testimony upon that subject. Testimony was taken, when it appeared from the testimony that the provision of the law of 1898 provided for only a grounded-circuit telephone, and, as a matter of fact, now, with some eight or ten thousand telephones, I believe there are only about one hundred belonging to the system known as the "grounded-wire service," which is the provision of the House in the pending bill. Therefore, we were called upon to deal with the whole question.

Mr. MALLORY. If the Senator will permit me, I will say, in reference to his statement, that the Committee on the District of Columbia at the last session gave a hearing to the representatives of the telephone company and also to those who were contesting the rates charged by the telephone company. There was an association here in Washington formed to contest those rates, and under the auspices of that association the suits to which the Senator has referred were instituted. The Committee on the District of Columbia appointed a subcommittee to give this hearing.

Mr. ALLISON. I hope the Senator from Florida will state that matter in detail, as he is very familiar with it.

Mr. MALLORY. I am only going to fill up what the Senator has omitted.

That subcommittee consisted of the Senator from New Hampshire and myself. This hearing revealed the fact that the association in Washington had come to the conclusion that it was better probably not to push the suit any further. Their representatives before the subcommittee stated that they were perfectly willing to have the contention laid aside for the present and the rates which had been contended for abandoned. In other words, it was admitted practically before the subcommittee that the rates which were then charged under the act of 1898 were too low for the existing conditions. That is my present impression. This year the committee has had no evidence bearing on the subject at all; but I do not think there is any doubt of the fact that up to this time last year those who had been most prominent in contesting these rates concluded the rates were not too high.

Mr. ALLISON. On further examination of this question, we ascertained that although the former management of the telephone company had been subjected, as I think very reasonably and properly, to severe criticism on account of the method of service which they adopted, the present management were making an earnest and honest endeavor to greatly improve the service in this District. They stated to the committee that they had been expending, within the last year or eighteen months, more than a million and a half dollars; that they would expend this year \$750,000, and next year perhaps a half million dollars more to perfect the service in this District. That expenditure is being made by the establishment of three or four central stations, thoroughly equipped to render efficient and effective service. The Senator from New Hampshire [Mr. GALLINGER] calls my attention to the fact that they stated that the whole of the money that they were expending here was borrowed money and that the company itself for the last three years has paid no dividends upon its stock.

Mr. NEWLANDS. Mr. President—

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

Mr. ALLISON. Certainly.

Mr. NEWLANDS. I wish to ask the Senator from Iowa whether any report is made annually by this company of its receipts and expenditures on account of capital and income and operation, as is required in the case of other quasi public corporations?

Mr. ALLISON. I think so, though I am not sure. If there is no such report made, there ought to be one. The Senator from New Hampshire [Mr. GALLINGER] will know whether the company make an annual report.

Mr. GALLINGER. I think they do not.

Mr. NEWLANDS. Then, if the Senator from Iowa will pardon me, I have drafted an amendment to this section—

Mr. ALLISON. I shall be glad, of course, to hear the Senator make any statement.

Mr. BLACKBURN. I should like to ask the Senator a question for information.

Mr. ALLISON. I hope the Senator will make it brief.

Mr. BLACKBURN. I will make it as brief as possible. Has the Senator the data before him which will enable him to answer

and tell the Senate whether or not this company has been declaring unusually large dividends upon its capital stock?

Mr. ALLISON. I am prepared to give the Senator such information as the committee has on that subject.

Mr. BLACKBURN. That is all I ask.

Mr. ALLISON. It was stated to us that for three years the company had paid no dividends at all, and for several years only 2 or 3 per cent. I think the highest dividend paid upon the capital stock of the company was 5 per cent.

Mr. STEWART. I should like to ask a question. Has the telephone company assented to the rate fixed by the amendment of the committee?

Mr. ALLISON. I understand they have—that is to say, they are willing to carry out in good faith in every way the provision of the clause which we have inserted in the bill; and I have no doubt they will do so.

Mr. STEWART. If they will, I shall be content.

Mr. GALLINGER. I will say to the Senator from Nevada that they voluntarily came before the committee and assented to it. They suggested that they were willing that a penalty clause should be attached; that they proposed to observe the law, and that they wanted to give this city a first-class telephone service at a living rate; and we were assured—

Mr. STEWART. We have had so many assurances in the past that have not been lived up to that I am always somewhat doubtful about them; but, under all the circumstances, if there is a reasonable probability that the company will live up to their assurances, I shall be content.

Mr. GALLINGER. Perhaps the Senator has not had many assurances from the present management. Mr. Bethell has been at the head of the company only two years.

Mr. STEWART. I was not referring to the present management, but to the former management.

Mr. ALLISON. In answer to the Senator from Kentucky [Mr. BLACKBURN], I will say that we took testimony upon that subject. If the Senator will look at the hearings before the committee, he will see that this whole question was very thoroughly inquired into. The average dividend for the last twenty-one years has been  $2\frac{1}{4}$  per cent per annum. I think it was stated that for the last two and a half or three years the company had paid no dividends whatever and that they have been and are making, as we know they are making, very large improvements here.

Mr. GALLINGER. I will say that for the last four years no dividends have been paid. I have in my possession letters from two citizens of the District of Columbia, saying that they own stock in this company, that they have received no dividends for four years, and protesting that Congress ought to deal justly with this corporation and with the citizens of the District who chance to own a little stock in the company.

Mr. ALLISON. The committee did the best they could in this matter. They fixed the rate at \$60 per annum for a telephone on an individual metallic circuit, and \$48 per annum for each telephone on the same premises, there being not more than two on the same metallic circuit. So, under all the circumstances, Senators will see that the rates are not unreasonable.

The statements made to us convinced us that the rates we have provided for in the bill are reasonable for the present, but we are not restricted from changing those rates at any time when we think they have become oppressive to the people. The amendment is so guarded that Congress maintains control of the whole subject so far as the rates are concerned, as I think it ought to retain the power of changing rates as long as there is but one telephone company in this District.

Mr. GALLINGER. Mr. President—

Mr. NEWLANDS. With the permission of the Senator, I wish to offer an amendment.

Mr. GALLINGER. I yield for that purpose.

Mr. NEWLANDS. I offer an amendment to come in after line 9 on page 38; and as it is very much interlined, perhaps I had better read it myself. It is to add to the amendment of the committee the following:

That every telephone company doing business in the District of Columbia shall annually, on or before the 15th of January of each year, report under oath to the Congress a classified statement of its receipts and expenditures for the previous calendar year, dividing them into receipts and expenditures on account of capital as well as income and operation in the District of Columbia, and that such report for the first year shall state the actual cost of their works in the District of Columbia.

Mr. GALLINGER. Mr. President, I do not care to occupy much time on this matter, but it is a subject to which I have given a good deal of thought; and I have endeavored to do my duty in regard to it as chairman of the Committee on the District of Columbia.

Some three years ago, if I remember correctly, a company of gentlemen came to Washington, men of standing, and I have no doubt of integrity, who insisted that we should charter a new telephone company in the District of Columbia. We gave a patient



hearing to those gentlemen. They made a proposition that they would furnish telephone service very much cheaper than we were getting. After a patient hearing we concluded that we could regulate the existing company and that it was not wise to have the streets of Washington torn up by a new corporation. Some of us had in mind the fact that an electric-light company had come here a little while before, and by rather sharp practice had been chartered, and had torn up our streets to furnish electric light in competition with the existing company. After a little time they sold out at a very large profit and left the city. So we did not conclude to incorporate this new telephone company.

They went to Baltimore, got a permit from the city council, established a telephone company there, and furnished service a little cheaper than the existing company for a time; but after a little while they sent a petition to the city government saying they were unable to continue to furnish that service as cheaply as they thought they could do it, and asking that their rates should be largely enhanced, to a point, as I remember, somewhat in excess of the provision in the Senate bill. I have been told that the city council did not give them that right, but notwithstanding that they proceeded to increase their rates, and they are charging those rates now. How long they will continue in operation, of course, is problematical. The rule is that such companies go out of existence by consolidation with the existing companies.

Mr. President, the Committee on Appropriations of the Senate has tried with great earnestness and sincerity to deal justly as between the citizens of this District and this telephone company. The committee appreciate the fact that this company has large privileges and that it ought to give good service to this people at a reasonable rate.

There has been poor service in the District of Columbia, but there is reason for it. The company is now in the hands of progressive men; men who assert—and we have every reason to believe them, because their integrity is unquestioned—that they propose to give this city a model telephone system and that they do not expect or desire to secure profits beyond those that ought reasonably to be given to them.

The inadequacy of the service, however, has been from causes that I feel could not have been avoided. Mr. Bethell, the president of the company, gave those reasons, and I think they are absolutely just and fair reasons. I want to read something that Mr. Bethell has said. He said:

In 1901 the company entered upon a general plan of improvement. In the following year Congress passed a law authorizing the extension of the underground conduit system in Washington, and in that year 75 miles and in 1903 57 miles of underground ducts were constructed.

I want here to say that those underground ducts have been constructed, and the old unsightly poles and overhead wires have been removed, so that we are rapidly approaching the time when there will not be an overhead telephone wire in the District of Columbia, a consummation very much to be desired.

In all subways (old and new) space for the fire and police wires of the District of Columbia is provided free of charge. (The telephones used by the District in its fire and police systems are furnished by this company at the rate of \$5 per year.)—

That is, they have independent switchboards, and they get this cheap service, as do the apartment houses and hotels in the District.

A building costing, including site, about \$200,000 was erected at Fourteenth and B streets N.W., and upon its completion a modern central office equipment was installed therein. Another new building, to cost about \$225,000, on Twelfth street, near G N.W., is nearing completion, in which a new and complete exchange equipment will be installed at an early date. The work is now under way and will be completed in the early part of this summer.

It might be said, in addition to that, that the company has erected an exchange on B street, just opposite the Capitol, which they propose to abandon in a little time, erecting a very fine central exchange on East Capitol street for serving the eastern portion of the city. So that they will have three magnificent central stations, entirely new, in the near future.

On the whole, in enlarging and improving the telephone plant in Washington, approximately \$1,500,000 of new money has already been invested. The plans for construction and reconstruction work in 1904 alone call for an outlay of approximately \$750,000.

The purpose of the management has been and is to provide in Washington a telephone system that for comprehensiveness and completeness shall not be surpassed. In January of this year the plant now under construction was inspected by the general manager and chief engineer of the National Telephone Company of Great Britain. They had visited the principal cities of Europe and America, and upon the completion of their inspection declared that nowhere had they seen provision for the future made on such an adequate scale as in the city of Washington.

We appreciate that during the general reconstruction work that has been going on our service has not been up to the high standard of efficiency which we hope soon to be able to maintain. We practically have been replacing an old telephone plant with a new one, at the same time being compelled to keep the old one in constant operation.

Mr. President, I suggest that that is a very reasonable explanation of the inadequate service we have had here. The company have been constructing a new plant, and while they have been doing so they have been endeavoring to supply an increased serv-

ice, extending their lines miles and miles in this territory under the legislation of a year ago, and of course their means have been inadequate to meet the demands that have been made upon them.

I have sometimes thought that their operators were not trained as well as are the operators in other cities. I have called the attention of the managers of this telephone company to that fact, and they have given me the assurance that if there is any lack in that respect they will see that it is overcome in some reasonable and proper way.

One of those gentlemen made an observation to me that impressed me quite profoundly as one reason, perhaps, why some people do not get good service in Washington. He said that people come here from all parts of the United States, from city and country alike, and that while the telephone company here, as in all other cities, required the number to be called to the operator, those people were in the habit, when they were at home, especially in the smaller places, of asking for "John Smith" or "John Doe" or somebody else. Of course in the country towns and smaller places the operator could turn to the book and ascertain the number of that particular patron. They do the same thing, it is said, in Washington, coming as they do from all over the country, and they get into a controversy with the operator. The operator says, petulantly, "What is the number?" and the reply comes back, "Find it yourself; you can do that." So there is interruption not only to that patron but to the service as a whole. I think that is really worth taking into consideration.

Mr. President, for one, I want this company to observe the provisions of this bill if they become a law, and I should have no patience with the company if it did not observe these provisions. The penalty is adequate if they do not observe the law. We do not think we ought to go to the extent the House of Representatives did, and upon some offense on the part of this company revoke their right to do business in the District of Columbia. That did not seem to be a reasonable penalty; but we put a penalty in the bill for each and every offense, which I think is fully adequate.

The rates that we place in this bill seem to the committee just rates. They are a large reduction from the existing rates, and if the reduction is not found to be sufficient, at the next session of Congress we can reduce them further.

Mr. CLAY. The Senator says this bill makes a large reduction over the existing rates. I will ask the Senator how long we have been paying the existing rates and if at any time in the past the rates have been lower than the rates named here?

Mr. GALLINGER. It was not very many years ago that this company was charging from \$35 to \$100 for what we now require them to furnish for \$60.

Mr. CLAY. The Senator means the Senate amendment fixes the rates lower than they have ever been heretofore?

Mr. GALLINGER. Undoubtedly, and very much lower. As compared with other places, a good many people have said to me that telephone rates in Washington were exorbitant. It was only two months ago that an effort was made in the legislature of Massachusetts to get lower telephone rates. In that discussion, a report of which I have in my desk somewhere, the promoter of that proposition—a very wise measure—pointed to Washington as the model city so far as rates were concerned, comparing the rates here with the rates that were paid in Massachusetts.

Mr. COCKRELL. And the rates were then \$72 instead of \$60, as now proposed.

Mr. GALLINGER. Yes. There was another point to be considered that was brought out in that discussion—that while they pay in Boston, in New York, and, I think, in every other large city or city of considerable size in the country, 10 cents for a call message, the company in this city last year voluntarily reduced their charge for a call message from 10 cents to 5 cents. So that, not having a telephone, I may call up a number for 5 cents, while if I go to Boston I pay 10 cents, and I think if I go to any city of considerable size in the country I pay 10 cents for that service. The company in the District did that voluntarily. We did not require it of them.

I am not appearing here by any means as the champion of this corporation, but I want to say I am so fully persuaded in my own mind that this company means to do the right thing in this community and to give good service for reasonable rates that I trust the amendment, which the Committee on Appropriations has worked out after a good deal of thought and care, may be incorporated in this bill.

Mr. MALLORY. Mr. President, with reference to the rates which are proposed by this bill, I would call the attention of the Senate to a statement made before the subcommittee of the Committee on the District of Columbia in February of last year on the subject by the representatives of the Telephone Subscribers' Association. That association was organized for the purpose of compelling this telephone company to comply with the statute of



1898, and the subcommittee had before it the statement of the manager or the president of the telephone company to the effect that it had not observed the statutory rate; in other words, the telephone company up to that time had claimed that Congress had no right to impose these specific rates, that these rates were ruinously low, and they ignored them and paid no attention to them.

Mr. GALLINGER. If the Senator will permit me, I think he falls into a slight error. I think the company has always admitted that Congress had a right to deal with this question, but that the company, on the other hand, if the legislation was in the nature of confiscation, had a right to go to the courts and test the matter there.

Mr. MALLORY. That practically is about it. They contended that these rates were ruinous, and that they had a right to contest them in the courts. I drew that out myself by a question which I asked Mr. Bethell—if he had been observing the statutory rates, and he told me emphatically, "We have not." I asked:

Have you been observing the statutory rates?

Mr. BETHELL. No, sir; that is what all this litigation has been about.

That was at a hearing with reference to the repeal of the act of 1898. The telephone company desired it repealed. The Subscribers' Association, through three attorneys representing them—Messrs. Arthur A. Birney, Henry F. Woodard, and John J. Hemphill—appeared before the subcommittee and submitted a statement as to the attitude of this association on the subject of the repeal of the act of 1898. I will say in passing that I believe the Senator from Iowa [Mr. ALLISON] is correct in saying that the rates proposed by the House proposition this year are about the same as they were under the act of 1898.

Mr. GALLINGER. Just the same.

Mr. MALLORY. That company, after having had this contest for several years and taken it up to the Supreme Court of the United States, made this statement to the subcommittee:

The act of 1898 was never satisfactory to anyone. Its author did not intend that it should become a law in the form in which it was presented by him to the House of Representatives, and it has been always regarded by the association as wholly inadequate to the situation. It does not at all cover the ground, and if it is to stand it should be added to by further provisions.

The association also recognizes that since the passage of this act of 1898 local conditions have greatly changed. Improvements in methods have been introduced and average rates of charges have been lessened. In view of these changes the act of 1898 is yet more unsatisfactory, and in the light of information not accessible in 1898 the justice of the act has become more doubtful. The association also finds that many of its supporters in 1898 are now apparently satisfied with the treatment accorded them by the telephone company and are unwilling to give further financial or moral support to the continuance of litigation.

The association has never wished to do injustice to this company, and under existing circumstances is willing to withdraw its opposition to the proposed act of repeal and rely upon the sense of justice of Congress to see to it hereafter that a proper inquiry be made into what are fair rates and to compel them.

ARTHUR A. BIRNEY,  
HENRY F. WOODARD,  
JOHN J. HEMPHILL,  
*Attorneys for the Association.*

I will state that that association was the only body of men in the District of Columbia that made any united effort to require this telephone company to comply with the law, and in the statement, as I have read it, they expressed the opinion that further agitation of the subject was unnecessary.

I am inclined to think, Mr. President, that the Committee on Appropriations of the Senate has done very wisely. From the testimony that we have had it is very apparent to me that under the new conditions, under the improvements instituted, and the additional expenses incurred by the telephone company, the rates fixed arbitrarily by the act of 1898 are insufficient to give a paying compensation for the service, and while the rates are reduced by the proposition of the Committee on Appropriations of the Senate, they are not reduced so low as to make them nonpaying, as I believe would be the case if we adhered to the House proposition.

Mr. GALLINGER. I desire simply to add that while the distinguished legal gentlemen who were attorneys for the organization that was contesting this matter agreed to drop it, saying that they were satisfied that the citizens generally did not object to the existing rates, nevertheless the Committee on Appropriations has taken this matter up, and has made a reduction of some 15 per cent, I think—I have not accurately estimated it; but I think it amounts to about 15 per cent upon the existing rates.

As an illustration of how the matter stands at the present time, I want simply to add that while I have had two letters from citizens of the District, who happened to hold a little of the stock of this telephone company, saying that we ought to deal generously with this corporation—I think naturally stockholders would say that—they tell me that they have not been paid any dividends.

I have received several letters from citizens of the District who do not own any stock expressing the same view, and there has been just one gentleman who appeared either in the committee room of the Committee on the District of Columbia or in the committee room of the Committee on Appropriations asking for a further reduction than we have proposed in this bill. There is

not at the present time any stir in the city of Washington or the District of Columbia over this matter, and if we make this large reduction in the rates and attach the penalty which was in the law of 1898, so that this company will have to observe the law whether they want to or not, it seems to me that everybody ought to feel that we have made a very wise adjudication of a controverted matter that is always troublesome in legislation.

Mr. STEWART. Will the Senator from New Hampshire allow me to interrupt him?

Mr. GALLINGER. Certainly.

Mr. STEWART. I understood the Senator to say there was no general sentiment about this matter. I do not know so much about the rates as I do about the bad service—that has been explained—but I think the Senator could hardly go to a place where a telephone is used very much that he would not see excitement and hear talk about it all the while. I imagine he would hear language used in almost every telephone station that we would not use here.

Mr. GALLINGER. I think I will agree with the Senator about the service. It has not been good.

Now, Mr. President, I want to say further that a gentleman connected with the Business Men's Association, a prominent citizen of the District, who was very active in the litigation that went on here for several years against the telephone corporation, came into the committee room the other day and said that he did not think anything need to be done, that he thought the existing conditions well enough. But we did not take his word for it. We proceeded to do something.

Mr. GORMAN obtained the floor.

Mr. HOAR. I shall be obliged to leave the Senate Chamber for the rest of the day, and I have the consent of the chairman of the committee to offer an amendment, which will be adopted as a matter of course without taking any time, if the Senator from Maryland will permit me.

Mr. GORMAN. I yield to the Senator from Massachusetts.

Mr. HOAR. I desire to offer an amendment, to insert at the end of the bill the following:

That the Commissioners of the District of Columbia are hereby directed to report to Congress at its next session a plan for the removal to a certain suitable place within the city of Washington of the remains of Pierre Charles L'Enfant and erecting a proper monument or gravestone over them, or erecting such monument or stone where they are now buried, as may seem to them most desirable.

It is merely a direction to the Commissioners to report. This is the engineer who laid out the city of Washington.

Mr. ALLISON. I suggest to the Senator that the amendment be inserted on page 81, after line 21.

Mr. HOAR. Very well; I will ask that it be inserted on page 81, after line 21.

The PRESIDENT pro tempore. Does the Senator offer it for present consideration?

Mr. HOAR. Yes.

Mr. ALLISON. I do not object to the amendment. It should be marked section 2, as it does not relate to anything else. The Senator asks unanimous consent for its present consideration.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. GALLINGER. Will the Senator from Maryland permit me to make one remark?

Mr. GORMAN. With great pleasure.

Mr. GALLINGER. Before I sat down I meant to say that, so far as I am individually concerned as a member of the two committees that have had to deal with this matter first and last, I see no objection to the amendment offered by the Senator from Nevada.

Mr. GORMAN. Mr. President, only a word. I did not hear very distinctly what the Senator from New Hampshire said, or all that he said, in relation to the attempt of another company to enter the District for the purpose of establishing a telephone system here. But I did understand him to intimate that it was one of the usual attempts to come into the city, possibly for speculative purposes.

I desire to say that that company, the headquarters of which is in Baltimore, has in its organization as reputable men as there are in the United States, and they are engaged in a very great enterprise. They have a great many thousand telephones in that city. Their lines extend to the west and north of that city. They were anxious to reach the capital city. They believed at that time that they could make a very great profit at rates much lower than the rates named in this bill. They did obtain from the mayor and city council of Baltimore the right not only to lay conduits of their own, but to use, greatly to their advantage, the whole system of conduits constructed by the city of Baltimore, whereas we all know that in this city the companies are required to make that expenditure, which is one of a very great amount.

After a perfectly legitimate and well-managed effort for several



years they were compelled to acknowledge that it was utterly impossible, with the advanced prices of all the materials and of the labor that enter into the conduct of the telephone business, to fix as low a rate as that prescribed in this bill now for the city of Washington. My only criticism of the amendment of the Committee on Appropriations is that it looks to me, in view of the experience elsewhere, where there are five or six hundred thousand people to serve, that you have the rates too low.

Now, as to the service, I wish to make one other observation. Under your legislation requiring this company to place all of its wires underground, with the construction of these miles and miles of conduits in the last year or two, the work of the distribution of the wires has been one of magnitude. In addition to that, I want to say, in justice to the company, which also operates in the State of Maryland, and even goes through to the North, that during the last two months I think much of the trouble in operation has come from the fact that the great switchboard, costing thousands and thousands of dollars, which was constructed to improve the service in this city, they were compelled, on account of the great conflagration in the adjoining city, to move from this point to Baltimore, so that there might be some service there.

Our people feel that the present organization of the Potomac Telephone Company has responded nobly to an extraordinary degree in our State; and I, for one, if it were not for the fact, as I am informed, that the company has agreed to these rates, would suggest that instead of the \$60 rate you give them the \$72 rate, the same as is charged by both companies in the city of Baltimore, where, as I say, there are 600,000 inhabitants. It was fixed there after the most thorough examination by a commission; and, if I recollect aright, one of its members belonged to Johns Hopkins University, and there were other gentlemen of that class. They took up the matter in detail—the cost of the construction of the plant, the cost of operating it—and they found that that rate was not excessive.

I wish to assure the Senator and the Senate that the effort on the part of the former company, known as the Maryland Company, was a perfectly legitimate one; and I have no doubt that if they had been admitted to this city the rates would not have been as low as you have fixed them in this bill.

Mr. GALLINGER. Mr. President, lest an impression should go out that I criticised these gentlemen, I will say to the Senator from Maryland that possibly he did not hear my observation that they were gentlemen of high standing and integrity. They simply thought they could do the thing they contemplated both here and in Baltimore, but after an experiment in Baltimore they found that it was utterly impossible for them to do it. I never questioned the integrity or the high standing of the men connected with that company.

Mr. GORMAN. I am assured by Senators sitting around me that I misunderstood the Senator. I came in late.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Nevada [Mr. NEWLANDS] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 39, line 4, to increase the appropriation for illuminating material, lighting, extinguishing, repairing, and cleaning public lamps on avenues, streets, roads, and alleys, etc., from \$209,000 to \$219,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 25 on page 39.

Mr. McCUMBER. I wish to ask the Senator in charge of the bill if he is willing now to have the pension Calendar taken up for the rest of the day?

Mr. ALLISON. If the Senator will wait a moment or two until we reach the Washington Aqueduct I will yield to him for an hour on pensions.

Mr. McCUMBER. That will be perfectly satisfactory.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 40, line 7, after the word "paragraph," to insert the following proviso:

And provided further, That during the fiscal year 1905 the illuminating power of the gas furnished by any gas-lighting company, person, or persons in the District of Columbia shall be equal to 22 candles, notwithstanding the requirements as to candlepower prescribed by section 3 of the act regulating the sale of gas in the District of Columbia approved June 6, 1893.

The amendment was agreed to.

The next amendment was, on page 40, line 18, before the word "thousand," to strike out "eighty-three" and insert "eighty-eight;" so as to read:

For electric arc lighting, including necessary inspection, and for extensions of such service, not exceeding \$88,700.

The amendment was agreed to.

The next amendment was, on page 40, line 19, before the word "dollars," to strike out "eighty" and insert "eighty-five;" so as to make the proviso read:

Provided, That not more than \$85 per annum shall be paid for any electric arc light burning from fifteen minutes after sunset to forty-five minutes before sunrise and operated wholly by means of underground wire.

The amendment was agreed to.

The next amendment was, on page 41, line 1, after the word "Washington," to insert the following proviso:

Provided, That the Commissioners of the District of Columbia are hereby authorized, in their discretion, to permit the Potomac Electric Power Company to make connections between its conduits and the conduits of the Washington Railway and Electric Company and all other companies controlled by the Washington Railway and Electric Company for the purpose of furnishing electric current through the said conduits for public and private uses, the use of said railway companies' conduits to be upon such terms as may be agreed upon between the said companies.

The amendment was agreed to.

#### CONSIDERATION OF UNOBJECTED PENSION CASES.

Mr. ALLISON. I now yield to the Senator from North Dakota, chairman of the Committee on Pensions, who wishes to occupy an hour on pension cases.

Mr. McCUMBER. I would ask the Senator, if there is nothing else to be done this afternoon, whether he would have any objection to our running possibly a little over an hour?

Mr. ALLISON. I will not object to the Senator running a little over an hour, although I think we ought to adjourn at half past 5, or soon after that hour.

Mr. PLATT of Connecticut. This is for the consideration of unobjected pension cases?

Mr. ALLISON. Unobjected cases.

Mr. McCUMBER. Unobjected cases.

Mr. McCREARY. Will the District of Columbia appropriation bill be called up again during the day?

Mr. ALLISON. Not during the day.

Mr. McCUMBER. I ask unanimous consent that the appropriation bill be laid aside temporarily, and that the Senate proceed to the consideration of unobjected pension cases on the Calendar.

Mr. QUAY. I suppose the understanding is that nothing but pension business shall be transacted this afternoon.

Mr. McCUMBER. That is all.

Mr. ALLISON. That is the understanding.

Mr. McCUMBER. That is the request.

Mr. ALLISON. I hope the Chair will put that in the request. The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that the remainder of the day be devoted to the consideration of unobjected pension cases.

Mr. SCOTT. And where there are on the Calendar unobjected bills to remove the charge of desertion, let them be considered, too.

The PRESIDENT pro tempore. Those have not been selected out by the clerks, and it would take some time to do it.

Mr. QUAY. I think it had better be confined to pension bills.

Mr. WARREN. I do not think there are many military bills.

Mr. SCOTT. Let it go.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota? The Chair hears none. The first case on the Calendar will be stated.

#### JANE E. FULLER.

The bill (S. 4480) granting an increase of pension to Jane E. Fuller was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 9, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane E. Fuller, widow of Amzi S. Fuller, late captain Company K, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

#### PHOEBE BUCH.

The bill (S. 2194) granting an increase of pension to Phoebe Buch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 9, after the word "Pennsylvania," to strike out "Volunteers" and insert "Volunteer Infantry;" and in line 11, before the word "dollars," to strike out "twenty" and insert "fifteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phoebe Buch, widow of John



A. Buch, late of Company E, One hundred and twenty-eighth Regiment Pennsylvania Volunteer Infantry, and second lieutenant Company B, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

WILLIAM M. TANNER.

The bill (S. 4727) granting an increase of pension to W. M. Tanner was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William M. Tanner, late of Company D, Second Regiment Mississippi Rifles, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to William M. Tanner."

MORRIS H. JONES.

The bill (S. 2508) granting an increase of pension to Morris H. Jones was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Morris H. Jones, late of Company K, One hundred and fiftieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

LARKIN MAYNARD.

The bill (H. R. 2491) granting a pension to Larkin Maynard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Larkin Maynard, late of Capt. Thomas Dameron's independent company, West Virginia Volunteer Infantry, and to pay him a pension of \$12 per month.

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

JOHN W. PLATTENBURG.

The bill (H. R. 6848) granting an increase of pension to John W. Plattenburg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Plattenburg, late second lieutenant Company K, First Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

ALFRED D. BURTON.

The bill (H. R. 11557) granting a pension to Alfred D. Burton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred D. Burton, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$12 per month.

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

REBECCA MAYO.

The bill (H. R. 10935) granting an increase of pension to Rebecca Mayo was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rebecca Mayo, widow of Stephen Mayo, late of the Virginia Line, war of the Revolution, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

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

LULU E. M'KEE.

The bill (H. R. 10576) granting a pension to Lulu E. McKee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lulu E. McKee, helpless and dependent daughter of John R. McKee, late of Company C, Ninth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay her a pension of \$12 per month.

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

JOHN MAYNARD.

The bill (H. R. 2490) granting a pension to John Maynard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Maynard, late of Capt. Thomas Dameron's independent company West Virginia Volunteer Infantry, and to pay him a pension of \$12 per month.

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

JOHN B. HART.

The bill (H. R. 1268) granting an increase of pension to John B. Hart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Hart, late of Company I, Eighth Regiment Pennsylvania Reserve Volunteer Infantry, and Company D, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

OLIVER A. FILMAN.

The bill (H. R. 790) granting an increase of pension to Oliver A. Filman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oliver A. Filman, late of Company C, Fifty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

MARGARET HEROLD.

The bill (H. R. 5648) granting an increase of pension to Margaret Herold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Herold, widow of John B. Herold, late captain Company E, Ninth Regiment Maryland Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

JOHN C. FOOS.

The bill (H. R. 8482) granting an increase of pension to John C. Foos was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John C. Foos, late of Company B, Purnell Legion, Maryland Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

MATTIE ATEN.

The bill (H. R. 5395) granting a pension to Mattie Aten was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mattie Aten, helpless and dependent daughter of Peter Aten, late of Company A, Ninth Regiment West Virginia Volunteer Infantry, and to pay her a pension of \$12 per month.

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

WILLIAM SMITH.

The bill (H. R. 8180) granting an increase of pension to William Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Smith, late of Company E, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JAMES W. SMITH.

The bill (H. R. 133) granting an increase of pension to James W. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Smith, late second lieutenant Company B, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

ANTHONY BRACKLIN.

The bill (H. R. 6087) granting an increase of pension to Anthony Bracklin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anthony Bracklin, late of Company H, First Regiment United States Artillery, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.



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

ROBERT S. CARNS.

The bill (H. R. 4114) granting an increase of pension to Robert S. Carns was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert S. Carns, late first lieutenant Company K, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

THOMAS P. MOORE.

The bill (H. R. 1519) granting a pension to Thomas P. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas P. Moore, late of Capt. Thomas Dameron's independent company, West Virginia Volunteer Infantry, and to pay him a pension of \$12 per month.

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

SARAH J. HERMAN.

The bill (H. R. 2371) granting a pension to Sarah J. Herman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Herman, widow of Martin Herman, alias John Brooke, late of Company C, Second Regiment United States Artillery, war with Mexico, and to pay her a pension of \$8 per month.

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

JOHN J. FLEMING.

The bill (H. R. 7079) granting an increase of pension to John J. Fleming was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John J. Fleming, late of Company D, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

EDWARD B. NUGENT.

The bill (H. R. 8220) granting an increase of pension to Edward B. Nugent was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward B. Nugent, late first lieutenant Company M, and major, Third Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$25 per month in lieu of that he is now receiving.

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

FLORENCE R. RUSSELL.

The bill (H. R. 10267) granting a pension to Florence R. Russell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Florence R. Russell, widow of Daniel A. Russell, late major, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and to pay her a pension of \$20 per month.

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

JOSEPH LONGBERRY.

The bill (H. R. 10580) granting an increase of pension to Joseph Longberry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Longberry, late of Company C, Sixty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JEREMIAH MYERS.

The bill (H. R. 7754) granting an increase of pension to Jeremiah Myers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jeremiah Myers, late of Company D, Fifty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JOHN E. NEARY.

The bill (H. R. 2767) granting an increase of pension to John E. Neary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John E. Neary, late of Company I, Thirty-third Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JOHN B. KELLER.

The bill (H. R. 11141) granting an increase of pension to John B. Keller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Keller, late of Company I, Twenty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

WILLIAM KENNEDY, ALIAS LEONARD.

The bill (H. R. 5091) granting an increase of pension to William Kennedy, alias Leonard, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kennedy, alias Leonard, late first lieutenant Company G, One hundred and tenth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JAMES CARR.

The bill (H. R. 2457) granting an increase of pension to James Carr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Carr, late of Company L, Twelfth Regiment Missouri Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

SAMUEL M'CLURE.

The bill (H. R. 1352) granting an increase of pension to Samuel McClure was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel McClure, late of Company B, Twelfth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

LEWIS C. AMBERG.

The bill (H. R. 10264) granting an increase of pension to Lewis C. Amberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis C. Amberg, late first lieutenant Company F, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JACOB WETZEL.

The bill (H. R. 12036) granting an increase of pension to Jacob Wetzel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Wetzel, late of Company D, Fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

CHARLES B. HUNT.

The bill (H. R. 5682) granting an increase of pension to Charles B. Hunt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Hunt, late of Company C, First Regiment Michigan Volunteer Infantry, war with Mexico, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JASON ROBINSON.

The bill (H. R. 8742) granting an increase of pension to Jason Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jason Robinson, late of Company A, Forty-seventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

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

THEODORE C. PUTNAM.

The bill (H. R. 6258) granting an increase of pension to Theodore C. Putnam was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theodore C. Putnam, late of Company A, Thirty-second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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



## JOSIAH B. DEETER.

The bill (H. R. 8010) granting an increase of pension to Josiah B. Deeter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah B. Deeter, late of Company C, Twenty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## JOHN LINDSEY.

The bill (H. R. 9398) granting a pension to John Lindsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Lindsey, late of Fourth Company, United States Coast Artillery.

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

## FREDERICK J. FAIRBRASS.

The bill (H. R. 6249) granting an increase of pension to Frederick J. Fairbrass was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick J. Fairbrass, late of Company I, First Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## DAVID MISENER.

The bill (S. 4635) granting an increase of pension to David Misener was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Misener, late captain Company H, Third Regiment Minnesota Volunteer Infantry, and major First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## LA ROY B. CHURCH.

The bill (S. 2645) granting an increase of pension to La Roy B. Church was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of La Roy B. Church, late of Company H, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## JANE SMITH.

The bill (S. 2380) granting a pension to Jane Smith was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Smith, widow of Zemro A. Smith, late lieutenant-colonel Eighteenth Regiment Maine Volunteer Infantry (First Maine Heavy Artillery), and pay her a pension at the rate of \$12 per month.

Mr. FAIRBANKS. I move to amend the committee amendment in line 4, page 2, by striking out "twelve" and inserting "twenty-four."

Mr. McCUMBER. We consent to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

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

## REBECCA C. SHURLOCK.

The bill (H. R. 691) granting an increase of pension to Rebecca C. Shurlock was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Rebecca C. Shurlock, widow of William C. Shurlock, late captain Company D, One hundredth Regiment, and surgeon Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

## JOHN C. VAN CAMPEN.

The bill (S. 3493) granting an increase of pension to John C. Van Campen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the words "New York," to insert "Regiment;" in the same line, before the word "Engineers," to insert "Volunteer;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Van Campen, late of Company E, Ninety-third Regiment New York Volunteer Infantry, and Company K, Fiftieth Regiment New York Volunteer Engineers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## CLAUDE C. SWAFFORD.

The bill (S. 2975) granting a pension to Claude C. Swafford was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "war with Spain;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Claude C. Swafford, late of Company E, First Regiment South Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$24 per month.

The amendments were agreed to.

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

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

## BUCKLIN H. WOOD.

The bill (S. 3490) granting an increase of pension to Bucklin H. Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Cavalry," to insert "Volunteer," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bucklin H. Wood, late of Company A, First Regiment Dakota Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## WILLIAM H. VICKERS.

The bill (H. R. 3027) granting an increase of pension to William H. Vickers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Vickers, late of Company I, Nineteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## ISAIAH ROBINSON, JR.

The bill (H. R. 6501) granting an increase of pension to Isaiah Robinson, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaiah Robinson, jr., late of Company A, Fourth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## ORLO H. LYON.

The bill (H. R. 2122) granting a pension to Orlo H. Lyon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orlo H. Lyon, late captain Third



Independent Battery Iowa Volunteer Light Artillery, and to pay him a pension of \$30 per month.

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

MARY J. BRADLEY.

The bill (H. R. 194) granting a pension to Mary J. Bradley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Bradley, dependent mother of Charles W. Simmons, late of Company H, Fifty-seventh Regiment Illinois Volunteer Infantry, and to pay her a pension of \$12 per month.

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

HENRY SPINDLER.

The bill (H. R. 2189) granting an increase of pension to Henry Spindler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Spindler, late of Company B, Twenty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

ADAM GOSAGE.

The bill (H. R. 1285) granting an increase of pension to Adam Gosage was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adam Gosage, late of Company C, Twenty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

CALEB J. MAY.

The bill (H. R. 11606) granting an increase of pension to Caleb J. May was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caleb J. May, late of Company A, Twenty-fifth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

HARRIET SNYDER.

The bill (H. R. 153) granting a pension to Harriet Snyder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet Snyder, widow of Clinton Snyder, late of Company G, Second Regiment Michigan Volunteer Infantry, and to pay her a pension of \$8 per month, such pension to cease upon proof that the soldier is still living.

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

JOSIAH H. TYACK.

The bill (H. R. 10171) granting an increase of pension to Josiah H. Tyack was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah H. Tyack, late of Company E, Thirtieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

AUSTIN MURPHY.

The bill (H. R. 6611) granting an increase of pension to Austin Murphy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Austin Murphy, late of Company H, Eighteenth Regiment United States Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

JAMES O. KNOWLES.

The bill (H. R. 10847) granting an increase of pension to James O. Knowles was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James O. Knowles, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

GEORGE W. KIMBLE.

The bill (H. R. 1176) granting an increase of pension to George W. Kimble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Kimble, late first lieutenant Company F, Eighteenth Regiment Indiana

Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

NICHOLAS GRUBER.

The bill (H. R. 967) granting an increase of pension to Nicholas Gruber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nicholas Gruber, late of Company G, Tenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

GEORGE W. M'CONKEY.

The bill (H. R. 805) granting an increase of pension to George W. McConkey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. McConkey, late major, Fifth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JOSHUA D. GRIFFITH.

The bill (H. R. 11066) granting an increase of pension to Joshua D. Griffith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua D. Griffith, late of Company H, Sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving, the same to be paid to his legally appointed guardian.

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

JOEL M. STREET.

The bill (H. R. 5693) granting an increase of pension to Joel M. Street was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joel M. Street, late of Company K, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JOHN A. PARKER.

The bill (H. R. 8725) granting an increase of pension to John A. Parker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Parker, late of Company F, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

EMMA R. WALLACE.

The bill (H. R. 8387) granting an increase of pension to Emma R. Wallace was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma R. Wallace, widow of Martin R. M. Wallace, late colonel Fourth Regiment Illinois Volunteer Cavalry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

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

ABRAM T. CARNEY.

The bill (H. R. 8287) granting an increase of pension to Abram T. Carney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abram T. Carney, late of the Twelfth Independent Battery Ohio Volunteer Light Artillery, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

SIRBRINA PALMER.

The bill (H. R. 5873) granting an increase of pension to Sirbrina Palmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sirbrina Palmer, widow of Francis M. Palmer, late of Company I, Fifth Regiment Indiana Volunteer Cavalry, and to pay her a pension of \$20 per month in lieu of that she is now receiving. But in the event of the death of William E. Palmer, helpless and dependent child of said Francis M. Palmer, the additional pension herein granted shall cease and determine. In the event of the death of Sirbrina Palmer the name of William E. Palmer shall be placed on the pension roll at the rate of \$12 per month from and after the date of death of Sirbrina Palmer.



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

CHRISTOPHER C. RICHARDS.

The bill (H. R. 5700) granting an increase of pension to Christopher C. Richards was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christopher C. Richards, late of Company B, Seventy-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

CASPER J. SCHOER.

The bill (H. R. 5824) granting an increase of pension to Casper J. Schoer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Casper J. Schoer, late of Company G, Fifth Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

AMANDA M. HAND.

The bill (S. 4528) granting an increase of pension to Amanda M. Hand was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda M. Hand, widow of James H. Hand, late of Capt. W. H. Kendrick's company, Florida Mounted Volunteers, Seminole Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

JESSE N. JONES.

The bill (S. 4529) granting an increase of pension to Jesse N. Jones was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse N. Jones, late of Captains Whitehead and Hill's company, First Regiment Florida Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JULIA C. VANZANT.

The bill (S. 4531) granting an increase of pension to Julia C. Vanzant was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia C. Vanzant, widow of Garrett Vanzant, late of Captains Dell, Haddock, and Chamberlain's companies, Florida Volunteers, Seminole Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

DAVID INCHES.

The bill (S. 2252) granting an increase of pension to David Inches was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Inches, late of Company C, Forty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

FREDERICK SOMMERS.

The bill (S. 2248) granting an increase of pension to Frederick Sommers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to insert the letter "F;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Sommers, late of Company F, Nineteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

ISAAC S. DRUMMOND.

The bill (H. R. 11175) granting an increase of pension to Isaac S. Drummond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac S. Drummond, late second lieutenant Company E, Thirtieth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

CHARLES C. JORALEMON.

The bill (H. R. 1528) granting an increase of pension to Charles C. Joralemon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles C. Joralemon, late of Company K, Twenty-seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

JOHN L. HUGHES.

The bill (S. 3988) granting an increase of pension to John L. Hughes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John L. Hughes, late captain of Company E, Eighty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

MARY M. NASH.

The bill (S. 3352) granting an increase of pension to Mary M. Nash was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "brigadier-general," to insert "and Commissary-General of Subsistence;" and in line 8, after the word "Army," to strike out "retired;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Nash, widow of William H. Nash, late brigadier-general and Commissary-General of Subsistence, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

PATRICK FLEMING.

The bill (S. 3956) granting an increase of pension to Patrick Fleming was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "ordinary seaman" and insert "United States Navy;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Fleming, late of United States steamship Great Western, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JOHN H. ONEY.

The bill (S. 2458) granting a pension to J. H. Oney was considered as in Committee of the Whole.



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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Oney, late acting assistant surgeon, United States Army, and pay him a pension at the rate of \$20 per month.

Mr. CARMACK. I move to amend the committee amendment by striking out "twenty" and inserting "twenty-four" before the word "dollars," in line 1, page 2.

Mr. KEAN. The beneficiary is 71 years old.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

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

The title was amended so as to read: "A bill granting a pension to John H. Oney."

SAMUEL BAILY.

The bill (S. 4708) granting an increase of pension to Samuel Baily was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Samuel," to strike out "Baily" and insert "Bailey," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Baily, late of Company I, Fourth Regiment Indiana Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

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

MARY E. PILLOW.

The bill (S. 4308) granting an increase of pension to Mary E. Pillow was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Pillow, widow of Gideon J. Pillow, late major-general, United States Army, war with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

WILLIAM DAVIS.

The bill (H. R. 5476) granting an increase of pension to William Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Davis, late of Company A, Fifth Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

JASPER ROBINSON.

The bill (S. 1570) granting an increase of pension to Jasper Robinson was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jasper Robinson, late of Company A, Denver City Home Guards, Colorado Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ELIAS L. FIDLER.

The bill (S. 2030) granting an increase of pension to Elias L. Fidler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "private," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Elias L. Fidler, late of Company K, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

WILLIAM H. BELL.

The bill (H. R. 10179) granting an increase of pension to William H. Bell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Bell, late of Company E, Second Regiment Wisconsin Volunteer Cavalry, and Company E, Tenth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

ANDREW SMITH.

The bill (H. R. 10822) granting an increase of pension to Andrew Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Smith, late of Company H, Ninth Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

FRANCES RECK.

The bill (H. R. 5527) granting a pension to Frances Reck was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances Reck, widow of Jacob Reck, late of Company B, Second Regiment United States Reserve Corps Missouri Volunteer Infantry, and to pay her a pension of \$12 per month.

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

ANNA S. DUNN.

The bill (H. R. 6416) granting an increase of pension to Anna S. Dunn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna S. Dunn, widow of Rhadamanthus H. Dunn, late major, Third Regiment Tennessee Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

WILLIAM MILLIAN.

The bill (H. R. 936) granting an increase of pension to William Millian was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Millian, late of Company E, Fourth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

LEONARD J. WHITNEY.

The bill (H. R. 10912) granting an increase of pension to Leonard J. Whitney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leonard J. Whitney, late first lieutenant Company F, First Regiment Nevada Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

MATTHEW CALDWELL.

The bill (H. R. 7411) granting an increase of pension to Matthew Caldwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthew Caldwell, late of Company E, Mormon Battalion Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

ELI VEAZIE.

The bill (S. 4363) granting an increase of pension to Eli Veazie was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli Veazie, late of Company H, First Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.



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

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

JOHN P. WHITEHOUSE.

The bill (S. 4514) granting an increase of pension to John P. Whitehouse was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John P. Whitehouse, late of Company C, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

HARRY M. SHERMAN.

The bill (S. 2582) granting an increase of pension to Harry M. Sherman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Infantry," to strike out "Volunteer;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harry M. Sherman, late of Company G, Twelfth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

JAMES F. MEARS.

The bill (S. 3227) granting a pension to James F. Mears was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Mears, late of Company B, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to James F. Mears."

HELEN F. NICHOLS.

The bill (S. 3084) granting an increase of pension to Helen F. Nichols was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen F. Nichols, widow of George W. Nichols, late of Company K, Forty-third Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

JULIETTE NUNEZ.

The bill (S. 4773) granting a pension to Juliette Nunez was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Juliette Nunez, widow of Joseph A. Nunez, late major and additional paymaster, United States Volunteers, and to pay her a pension of \$25 per month.

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

CLARA E. DANIELS.

The bill (S. 2361) granting an increase of pension to Clara E. Daniels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clara E. Daniels, widow of David Daniels, late lieutenant, United States Navy, and to pay her a pension of \$35 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of the said David Daniels until she reaches the age of 16 years.

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

CHARLES T. PRESTON.

The bill (H. R. 6880) granting an increase of pension to Charles T. Preston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles T. Preston, late of Company C, Twelfth Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JOHN I. LOSE.

The bill (H. R. 8050) granting an increase of pension to John I. Lose was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John I. Lose, late of Company M, First Regiment Pennsylvania Volunteer Cavalry, and Company I, Second Regiment Pennsylvania Provisional Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

HERBERT M. BLACKWELL, ALIAS LEVI W. MOAR.

The bill (H. R. 5855) granting an increase of pension to Herbert M. Blackwell, alias Levi W. Moar, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Herbert M. Blackwell, alias Levi W. Moar, late of Company G, Second Regiment Maine Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

CORINNE TOLMAN.

The bill (H. R. 7438) granting an increase of pension to Corinne Tolman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Corinne Tolman, widow of Thomas M. Tolman, late captain, First Regiment United States Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

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

LUCY WARREN.

The bill (H. R. 1515) granting a pension to Lucy Warren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucy Warren, widow of Lewis Warren, late of Company H, First Regiment District of Columbia Volunteer Cavalry, and Company M, First Regiment Maine Volunteer Cavalry, and to pay her a pension of \$8 per month.

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

MARY FARRELL.

The bill (H. R. 2110) granting a pension to Mary Farrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Farrell, widow of James Farrell, late of Company K, Third Regiment Vermont Volunteer Infantry, and to pay her a pension of \$8 per month, such pension to cease upon proof that the soldier is still living.

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

FREEMAN O. HODGE.

The bill (H. R. 729) granting an increase of pension to Freeman O. Hodge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Freeman O. Hodge, late of Company D, Fifth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

GEORGE W. DARRAH.

The bill (H. R. 742) granting an increase of pension to George W. Darrah was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Darrah, late of Company K, Seventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

SEYMOUR F. BURLINGAME.

The bill (H. R. 8044) granting an increase of pension to Seymour F. Burlingame was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Seymour F. Burlingame, late of Company I, Ninth Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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



## SUSAN E. OLIVER.

The bill (H. R. 10919) granting an increase of pension to Susan E. Oliver was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan E. Oliver, widow of Theodore Oliver, late captain Company L, Second Regiment Arkansas Volunteer Cavalry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

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

## LEWIS L. BEAN.

The bill (H. R. 1170) granting an increase of pension to Lewis L. Bean was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis L. Bean, late of Company B, Twenty-seventh Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## FRANCIS MARSHALL.

The bill (H. R. 10399) granting an increase of pension to Francis Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Marshall, late of Company F, First Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

## HIRAM IMUS.

The bill (S. 4602) granting an increase of pension to Hiram Imus was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram Imus, late of Company M, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## ISAAC N. MOORE.

The bill (S. 3327) granting an increase of pension to Isaac N. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac N. Moore, late of Company A, Tenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## EDWIN W. FORD.

The bill (S. 4428) granting an increase of pension to Edwin W. Ford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin W. Ford, late captain Company C, Ninth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## GEORGE W. FARR.

The bill (H. R. 10531) granting an increase of pension to George W. Farr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Farr, late of Companies C and B, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## AUGUSTUS FELLOWS.

The bill (H. R. 11428) granting an increase of pension to Augustus Fellows was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus Fellows, late of Company M, First Regiment California Volunteer Cavalry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

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

## FRANCIS M. GOOD.

The bill (H. R. 11229) granting a pension to Francis M. Good was considered as in Committee of the Whole. It proposes to place

on the pension roll the name of Francis M. Good, late of Captain Gardner's company, Ninth Regiment Oregon Mounted Volunteers, Oregon Indian war, and to pay him a pension of \$8 per month.

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

## GEORGE K. KNOWLTON.

The bill (H. R. 8789) granting an increase of pension to George K. Knowlton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George K. Knowlton, late acting master's mate, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## WILLIAM H. KENT.

The bill (H. R. 5952) granting an increase of pension to William H. Kent was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Kent, late of Company D, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## CHARLES W. DE MOTTE.

The bill (H. R. 8611) granting an increase of pension to Charles W. De Motte was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. De Motte, late of Company F, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## NANCY NOXON.

The bill (S. 4275) granting a pension to Nancy Noxon was considered as in Committee of the Whole.

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

*That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy Noxon, dependent mother of Smith M. Noxon, late second lieutenant Company C, Tenth Regiment Wisconsin Volunteer Infantry, and Alfred G. Noxon, late captain Company G, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month.*

The amendment was agreed to.

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

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

## ANNA E. DRAPER.

The bill (S. 3561) granting an increase of pension to Anna E. Draper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "captain;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna E. Draper, widow of Thomas Draper, late captain Company H, Third Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

## REUBEN GRIFFITH PORTER.

The bill (H. R. 11169) granting an increase of pension to Reuben Griffith Porter was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben Griffith Porter, late captain and commissary of subsistence, United States Volunteers, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.



JOHN M. MANLOVE.

The bill (S. 4759) granting a pension to John M. Manlove was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Manlove, late of Company I, Sixth Regiment Delaware Volunteer Infantry, and to pay him a pension of \$12 per month.

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

SUSANNA COSGROVE.

The bill (H. R. 2589) granting a pension to Susanna Cosgrove was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susanna Cosgrove, widow of James Cosgrove, late of Company I, One hundred and thirty-third Regiment New York Volunteer Infantry, and to pay her a pension of \$8 per month.

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

MARGARET DELANEY.

The bill (H. R. 10209) granting an increase of pension to Margaret Delaney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Delaney, widow of Patrick K. Delaney, late first lieutenant and regimental quartermaster, One hundred and eighteenth Regiment New York Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

JOHN QUINN.

The bill (H. R. 10901) granting an increase of pension to John Quinn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Quinn, late captain Company G, Forty-second Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JAMES PAYTON.

The bill (H. R. 8025) granting an increase of pension to James Payton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Payton, late of Company K, Fourth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

WILLIAM J. MOSIER.

The bill (H. R. 8078) granting an increase of pension to William J. Mosier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Mosier, late of Battery H, Third Regiment New York Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

GEORGE H. SWEET.

The bill (H. R. 3806) granting an increase of pension to George H. Sweet was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Sweet, late of Company H, First Regiment United States Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

CATHARINE M. WONDERLY.

The bill (H. R. 6271) granting an increase of pension to Catharine M. Wonderly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine M. Wonderly, widow of John D. Wonderly, late of the United States Marine Corps, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

CALISTO CASTRO.

The bill (H. R. 6024) granting an increase of pension to Calisto Castro was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calisto Castro, late of Company C, Fifth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JOHN BARRAGAR.

The bill (H. R. 6563) granting an increase of pension to John Barragar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Barragar, late of Company F, One hundred and forty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

FREDERIC LOCKLEY.

The bill (H. R. 10792) granting an increase of pension to Frederic Lockley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederic Lockley, late of Company I, Seventh Regiment New York Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

ABRAHAM J. YEOMANS.

The bill (H. R. 2852) granting an increase of pension to Abraham J. Yeomans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham J. Yeomans, late second lieutenant Company I, One hundred and thirty-second Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JOHN W. HILL.

The bill (H. R. 2855) granting an increase of pension to John W. Hill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Hill, late of Company H, First Regiment North Carolina Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

ELLENDER C. MILLER.

The bill (H. R. 6432) granting a pension to Ellender C. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellender C. Miller, widow of Basil Miller, late of Captain Norman McDuffie's company, Georgia Volunteers, Creek Indian war, and to pay her a pension of \$8 per month.

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

ROBERT T. WOOD.

The bill (S. 2657) granting an increase of pension to Robert T. Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" in line 7, before the word "Cavalry," to insert "Volunteer;" in the same line, before the word "Company," to strike out "captain;" and in line 10, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert T. Wood, late captain Company L, Second Regiment Pennsylvania Volunteer Cavalry, and Company H, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

JOHN D. HENDERSON.

The bill (S. 4139) granting a pension to John D. Henderson was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John D. Henderson, late first lieutenant and regimental quartermaster Twenty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to John D. Henderson."

## JOHN F. BURKOLDER.

The bill (S. 4827) granting an increase of pension to John S. Burkholder was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "John," to strike out "S. Burkholder" and insert "F. Burkholder;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Burkholder, late of Company A, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to John F. Burkholder."

## GEORGE M. GIBBONS.

The bill (H. R. 4252) granting an increase of pension to George M. Gibbons was announced as next in order.

Mr. McCUMBER. Owing to the absence of the junior Senator from West Virginia [Mr. SCOTT], who desires to move an amendment to the bill, I ask that it be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

## MARY P. SHEETS.

The bill (H. R. 4994) granting an increase of pension to Mary P. Sheets was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary P. Sheets, widow of William T. Sheets, late of Company A, Second Regiment Pennsylvania Reserve Volunteer Infantry, and Company E, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

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

## FRANKLIN B. LIPPINCOTT.

The bill (H. R. 4997) granting a pension to Franklin B. Lippincott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin B. Lippincott, late acting medical cadet, United States Army, and to pay him a pension of \$12 per month.

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

## CHESTER F. KIMBALL.

The bill (H. R. 9082) granting an increase of pension to Chester F. Kimball was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Chester F. Kimball, late of Company E, Thirteenth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## EPHRAIM O. GILBERT.

The bill (H. R. 9815) granting an increase of pension to Ephraim O. Gilbert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ephraim O. Gilbert, late of Company E, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## WILLIAM H. STEINMANN.

The bill (H. R. 9592) granting an increase of pension to William H. Steinmann was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Steinmann, late of Company A, Sixteenth Regiment United States Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

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

## BENJAMIN F. MILLER.

The bill (H. R. 9081) granting an increase of pension to Benjamin F. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Miller, late of Company D, Seventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## JOHN M'ELIECE.

The bill (H. R. 9726) granting an increase of pension to John McEliece was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McEliece, late of Company K, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## GEORGE T. YOUNG.

The bill (H. R. 9117) granting a pension to George T. Young was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George T. Young, late of Company D, Forty-first Regiment Pennsylvania Emergency Militia, and to pay him a pension of \$12 per month.

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

## WILLIAM H. SCHREINER.

The bill (H. R. 7353) granting an increase of pension to William H. Schreiner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Schreiner, late of Company E, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## WILLIAMINA R. ALLENBAUGH.

The bill (H. R. 7244) granting an increase of pension to Williamina R. Allenbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Williamina R. Allenbaugh, widow of Charles T. Allenbaugh, late first lieutenant Company A, Second Regiment Maryland Volunteer Infantry, and to pay her a pension of \$15 per month in lieu of that she is now receiving.

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

## JESSE C. LOTT.

The bill (S. 3308) granting an increase of pension to Jesse C. Lott was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse C. Lott, late of Company C, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## ANGELINE P. ROOT.

The bill (S. 4815) granting an increase of pension to Angeline P. Root was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Angeline P. Root, widow of Richard Root, late major, Eighth Regiment Iowa Volunteer Cavalry, and colonel One hundred and thirty-sixth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

## JESSE MAURER.

The bill (S. 4776) granting an increase of pension to Jesse Maurer was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse Maurer, late of Company B, Seventy-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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



## HARVEY FLETCHER.

The bill (S. 4496) granting an increase of pension to Harvey Fletcher was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harvey Fletcher, late of Company E, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## MARY C. NICHOLSON.

The bill (S. 460) granting an increase of pension to Mary C. Nicholson was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Nicholson, widow of John Nicholson, late captain Company C, One hundredth Regiment New York Volunteer Infantry, and major, Eighth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

## SAMUEL D. REYNOLDS.

The bill (S. 3198) granting an increase of pension to Samuel D. Reynolds was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel D. Reynolds, late of Company B, Third Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## AARON M. MASON.

The bill (S. 4487) granting an increase of pension to Aaron M. Mason was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "late of," to strike out "Andrew Cowan's battery" and insert "First Independent Battery;" and in line 7, after the words "New York," to strike out "Independent" and insert "Volunteer;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aaron M. Mason, late of First Independent Battery, New York Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## THOMAS M'CORMICK.

The bill (S. 4777) granting an increase of pension to Thomas McCormick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out "musician;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas McCormick, late of Company C, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## BENJAMIN A. PROVOOST.

The bill (S. 4001) granting a pension to Benjamin A. Provoost was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Provoost" and insert "Provoost;" in line 7, before the word "National," to insert "State;" and in line 9, before the word "dollars," to strike out "fifteen" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin A. Provoost, late of Company B, Seventy-fourth Regiment New York State National Guard Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting a pension to Benjamin A. Provoost."

## ANDREW FISHER.

The bill (S. 4242) granting an increase of pension to Andrew Fisher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Company," to strike out "of;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Fisher, late second lieutenant Company I, One hundred and forty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## MARY P. WILSON.

The bill (S. 4381) granting a pension to Mary P. Wilson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "surgeon," to strike out "acting assistant" and insert "volunteer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary P. Wilson, widow of Samuel Wilson, late volunteer surgeon, United States Army, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

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

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

## EMMA J. SMITH.

The bill (S. 4936) granting an increase of pension to Emma J. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma J. Smith, widow of James E. Smith, late captain Fourth Independent Battery, New York Volunteer Light Artillery, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

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

## JOHN W. ALLEN.

The bill (S. 2569) granting an increase of pension to John W. Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Allen, late of Company D, Sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## GERTRUDE MERRILL.

The bill (H. R. 2121) granting a pension to Gertrude Merrill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gertrude Merrill, widow of Charles F. Merrill, late unassigned, Fourteenth Regiment Maine Volunteer Infantry, and to pay her a pension of \$12 per month.

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

## THOMAS MORGAN.

The bill (H. R. 4943) granting an increase of pension to Thomas Morgan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Morgan, late lieutenant-colonel Seventy-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## ELIZABETH B. CONSTANT.

The bill (H. R. 7066) granting a pension to Elizabeth B. Constant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth B. Constant, widow of Francis M. Constant, late captain Company G, Fifty-first Regiment Indiana Volunteer Infantry, and to pay her a pension of \$20 per month.

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

## EZRA NICHOLS.

The bill (H. R. 9979) granting an increase of pension to Ezra Nichols was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ezra Nichols, late of Company B, Eighth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## LOUIS DE WITT.

The bill (H. R. 9709) granting a pension to Louis De Witt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louis De Witt, late sergeant detachment of Indian scouts, United States Army, and to pay him a pension of \$8 per month.

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

## VINCENT ANDERSON.

The bill (H. R. 9820) granting an increase of pension to Vincent Anderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Vincent Anderson, late of Company B, Twenty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## MARGARET J. ROBBINS.

The bill (H. R. 9392) granting an increase of pension to Margaret J. Robbins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Robbins, widow of Charles G. Robbins, late first lieutenant Company M, Seventeenth Regiment Illinois Volunteer Cavalry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

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

## DAVID C. McVICKER.

The bill (H. R. 11845) granting an increase of pension to David C. McVicker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. McVicker, late of Company I, Thirty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## MARY J. WILSON.

The bill (H. R. 4941) granting a pension to Mary J. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Wilson, widow of Andrew Wilson, late a gunner, United States Navy, and to pay her a pension of \$12 per month.

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

## HENRY McCORD.

The bill (H. R. 5008) granting an increase of pension to Henry McCord was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry McCord, late of Company I, Eighty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## CHARLES V. BILLIG.

The bill (H. R. 4874) granting a pension to Charles V. Billig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles V. Billig, late of Company G, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$12 per month.

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

## DANIEL BUSHMAN.

The bill (H. R. 2928) granting an increase of pension to Daniel Bushman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Bushman, late of Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## MARTHA A. DAY.

The bill (H. R. 4355) granting a pension to Martha A. Day was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha A. Day, widow of James H. Day, late of Company G, Fifty-ninth Regiment Illinois Volunteer Infantry, and to pay her a pension of \$8 per month.

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

## SARAH E. DALE.

The bill (H. R. 9741) granting an increase of pension to Sarah E. Dale was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah E. Dale, widow of James Dale, late of Company I, First Regiment Illinois Volunteer Light Artillery, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

## JASPER RICHEY.

The bill (H. R. 1179) granting an increase of pension to Jasper Richey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jasper Richey, late of Company K, Thirty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## SAMUEL LOUIS TYNER.

The bill (H. R. 9390) granting an increase of pension to Samuel Louis Tyner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Louis Tyner, late of Company K, Forty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## ELLIS HOUSE.

The bill (H. R. 6956) granting an increase of pension to Ellis House was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellis House, late private and first lieutenant Company E, Fifty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## JOSIAH STANDLEY.

The bill (H. R. 6653) granting an increase of pension to Josiah Standley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah Standley, late second lieutenant Company I, Ninety-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## EMMA R. LAMB.

The bill (H. R. 12550) granting an increase of pension to Emma R. Lamb was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma R. Lamb, widow of Derrick Lamb, late captain Company F, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

## SENECA R. POLLARD.

The bill (H. R. 6823) granting an increase of pension to Seneca R. Pollard was considered as in Committee of the Whole. It



proposes to place on the pension roll the name of Seneca R. Polard, late of the Sixteenth Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JAMES DURKEE.

The bill (H. R. 1832) granting an increase of pension to James Durkee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Durkee, late of Company D, Thirty-second Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

GEORGE DRAPER.

The bill (S. 4621) granting an increase of pension to George Draper was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Draper, late of Company E, Twenty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

HENRY W. LLOYD.

The bill (H. R. 9581) granting an increase of pension to Henry W. Lloyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry W. Lloyd, late of Company I, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

KEZIA CHERRY.

The bill (H. R. 12056) granting an increase of pension to Kezia Cherry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kezia Cherry, widow of Peterson Cherry, late of Captain Nowlen's company, Illinois Volunteers, Black Hawk Indian war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

ELI M. McELWAIN.

The bill (H. R. 9576) granting an increase of pension to Eli M. McElwain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eli M. McElwain, late of Company F, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

MARGARET F. HARRIS.

The bill (H. R. 4798) granting an increase of pension to Margaret F. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret F. Harris, widow of James C. Harris, late of Captain Morrow's company, Tennessee Volunteer Infantry, Florida Indian war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

JASPER N. W. ROGERS.

The bill (H. R. 7726) granting a pension to Jasper N. W. Rogers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jasper N. W. Rogers, late of Company G, Third Regiment North Carolina Volunteer Mounted Infantry, and to pay him a pension of \$12 per month.

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

NANNIE J. M'GUCKIN.

The bill (H. R. 12457) granting an increase of pension to Nannie J. McGuckin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nannie J. McGuckin, widow of Charles McGuckin, late of Company B,

Twenty-fifth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

GEORGE P. MALLOCH.

The bill (H. R. 7664) granting an increase of pension to George P. Malloch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George P. Malloch, late of Company B, Thirty-seventh Regiment New York Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

MERRITT R. SIMPSON.

The bill (H. R. 11074) granting an increase of pension to Merritt R. Simpson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Merritt R. Simpson, late of Company I, Sixth Regiment United States Volunteer Infantry, and to pay him a pension of \$12 per month.

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

JOHN A. BROWN.

The bill (S. 4731) granting an increase of pension to John A. Brown was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Brown, late of Company B, Forty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ALVIN D. LANE.

The bill (S. 2636) granting an increase of pension to Alvin D. Lane was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin D. Lane, late of Company K, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

HORATIO P. ABBOTT.

The bill (S. 4695) granting an increase of pension to Horatio P. Abbott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Regiment," to strike out "Fourteenth" and insert "Thirteenth;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio P. Abbott, late of Company E, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

DAVID M. DAVIS.

The bill (S. 2372) granting an increase of pension to David M. Davis was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David M. Davis, late of Company C, Maine Volunteer Coast Guards, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## GEORGE W. WALLS.

The bill (H. R. 11227) granting an increase of pension to George W. Walls was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Walls, late of Company I, Twenty-sixth Regiment Maine Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## BENJAMIN PITMAN.

The bill (H. R. 8836) granting an increase of pension to Benjamin Pitman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin Pitman, late second lieutenant Twenty-seventh Unattached Company Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## HENRY F. DAVIS.

The bill (H. R. 1575) granting an increase of pension to Henry F. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry F. Davis, late of Company F, Thirtieth Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## AUGUSTUS WAGNER.

The bill (H. R. 11654) granting an increase of pension to Augustus Wagner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus Wagner, late of Company I, Sixth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

## ROBERT E. CLARY.

The bill (H. R. 4968) granting an increase of pension to Robert E. Clary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert E. Clary, late of Company F, Forty-ninth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## NATHAN L. MEANDS.

The bill (H. R. 3288) granting an increase of pension to Nathan L. Meands was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathan L. Meands, late captain Company I, Twenty-second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

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

## ABEL N. BUTTON.

The bill (H. R. 11575) granting a pension to Abel N. Button was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abel N. Button, late of Company A, Sixty-seventh Regiment New York National Guard Infantry, and to pay him a pension of \$12 per month.

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

## JOHN RYAN.

The bill (H. R. 7221) granting an increase of pension to John Ryan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Ryan, late of Company C, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

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

## HORATIO M. PRICE.

The bill (H. R. 5296) granting an increase of pension to Horatio M. Price was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horatio M. Price, late of Seventh Battery Wisconsin Volunteer Light Artillery, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

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

## CYNTHIA SPEAKS.

The bill (S. 3986) granting a pension to Cynthia Speaks was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cynthia Speaks, widow of George Speaks, late of Company F, Fifth Regiment United States Colored Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

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

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

## DAVID W. JOHNS.

The bill (S. 2124) granting an increase of pension to David W. Johns was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of" where it occurs the second time, to strike out "the" and insert "U. S. S. Elk;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David W. Johns, late of U. S. S. Elk, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## WILLIAM G. SCOTT.

The bill (S. 2046) granting an increase of pension to William G. Scott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Sixteenth," to insert "Regiment;" in line 8, before the word "and," to insert "United States Army;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William G. Scott, late of Company A, First Battalion, Sixteenth Regiment United States Infantry, and hospital steward, United States Army, and pay him a pension at the rate of \$24 a month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

## HIRAM PARKER.

The bill (H. R. 12417) granting a pension to Hiram Parker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram Parker, late of Company F, First Regiment Iowa Volunteer Infantry, and to pay him a pension of \$20 per month.

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

## JACOB B. MOCK.

The bill (H. R. 6589) granting a pension to Jacob B. Mock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob B. Mock, late of Company D, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

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

## ALBERT COSTIGAN.

The bill (H. R. 7568) granting an increase of pension to Albert Costigan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Costigan, late of Company G, Third Regiment Kentucky Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

## EMILY CATLIN.

The bill (H. R. 7501) granting an increase of pension to Emily Catlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily Catlin, widow of Robert W. Catlin, late first lieutenant Company I, Twenty-eighth Regiment Kentucky Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.



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

JAMES DASSON.

The bill (H. R. 11660) granting an increase of pension to James Dasson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Dasson, late of Company H, Seventy-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

MALINDA A. MYERS.

The bill (H. R. 11649) granting an increase of pension to Malinda A. Myers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Malinda A. Myers, widow of Samuel F. Myers, late of Company K, Eleventh Regiment Ohio Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

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

JAMES LITTLETON.

The bill (H. R. 3167) granting an increase of pension to James Littleton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Littleton, late of Company E, Twenty-second Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

JANE McNEIL.

The bill (H. R. 9801) granting a pension to Jane McNeil was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane McNeil, widow of William G. McNeil, late of Company F, Fifteenth Regiment Missouri Volunteer Infantry, and to pay her a pension of \$12 per month.

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

JAMES B. LUCKEY.

The bill (H. R. 11558) granting an increase of pension to James B. Luckey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James B. Luckey, late captain Company L, Third Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

GEORGE W. STEFFEY.

The bill (H. R. 2572) granting an increase of pension to George W. Steffey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Steffey, late of Company F, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

LUCIUS E. MILLS.

The bill (H. R. 7308) granting an increase of pension to Lucius E. Mills was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucius E. Mills, late of Company K, Sixteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

FRANK H. CLARK.

The bill (H. R. 7778) granting a pension to Frank H. Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank H. Clark, helpless and dependent son of Daniel Clark, late of Company B, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 per month.

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

JESSE T. BENNETT.

The bill (H. R. 9756) granting an increase of pension to Jesse T. Bennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse T. Bennett, late of Company G, Twenty-ninth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

WILLIAM D. HALL.

The bill (H. R. 3035) granting an increase of pension to William D. Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William D. Hall, late sergeant Company G, second lieutenant Company D, and first lieutenant Company E, Seventy-second Regiment New York Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

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

HENRIETTA A. PRYCE.

The bill (H. R. 2862) granting an increase of pension to Henrietta A. Pryce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henrietta A. Pryce, widow of Thomas Pryce, late captain Company I, Thirty-fifth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

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

HUGH S. SMITH.

The bill (H. R. 9807) granting an increase of pension to Hugh S. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh S. Smith, late of Battery D, First Regiment West Virginia Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JAMES L. PORTER.

The bill (S. 4511) granting an increase of pension to James L. Porter was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James L. Porter, late of Company C, Fourth Regiment West Virginia Volunteer Infantry, and Company B, Second Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

FRANCIS G. HOFFMIRE.

The bill (S. 4507) granting an increase of pension to Francis G. Hoffmire was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis G. Hoffmire, late of Company K, Sixth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

MARY E. SPRINGER.

The bill (H. R. 7500) granting an increase of pension to Mary E. Springer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Springer, widow of Peter B. Springer, late first engineer ram *Lioness*, Mississippi Marine Brigade, and to pay her a pension of \$8 per month.

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

ISAAC B. GOFORTH, ALIAS NAPOLEON B. GORDON.

The bill (H. R. 7470) granting an increase of pension to Isaac B. Goforth, alias Napoleon B. Gordon, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac B. Goforth, alias Napoleon B. Gordon, late of Company K, Seventh Regiment Kansas Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JOHN McDERMID.

The bill (S. 3236) granting a pension to John McDerimid was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of

the pension laws, the name of John McDermid, late of Captain McCranie's company, Georgia Militia, Creek Indian war, and pay him a pension at the rate of \$8 per month.

The amendment was agreed to.

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

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

WILLIAM A. SHERIDAN.

The bill (H. R. 6859) granting an increase of pension to William A. Sheridan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Sheridan, late of Company C, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

MARY GILROY.

The bill (S. 4249) granting an increase of pension to Mary Gilroy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the words "New Jersey," to strike out "First Regiment;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Gilroy, widow of Edward Gilroy, late of Battery B, New Jersey Volunteer Light Artillery, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

GEORGE W. SULLIVAN.

The bill (S. 3018) granting an increase of pension to George W. Sullivan was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Sullivan, late of Company K, One hundred and fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

MOTEN M. PITTS.

The bill (H. R. 5373) granting an increase of pension to Moten M. Pitts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Moten M. Pitts, late of Company C, Third Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

HENRY C. BELTZ.

The bill (H. R. 4889) granting an increase of pension to Henry C. Beltz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Beltz, late of Company E, Thirty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

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

MARTHA J. DERRINGTON.

The bill (H. R. 3902) granting a pension to Martha J. Derrington was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha J. Derrington, widow of Riley Derrington, late of Company I, Sixth Regiment Provisional Enrolled Missouri Militia, and to pay her a pension of \$8 per month.

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

DAVID R. LUTTRELL.

The bill (H. R. 12050) granting an increase of pension to David R. Luttrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David R. Luttrell, late of Company D, Forty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

HENRY MASON.

The bill (H. R. 9996) granting a pension to Henry Mason was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Mason, late of Company E, Twenty-First Regiment Missouri Volunteer Infantry, and to pay him a pension of \$12 per month.

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

JOHN BARTMANN.

The bill (H. R. 9990) granting a pension to John Bartmann was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Bartmann, late of Company D, Cape Girardeau Battalion Missouri Home Guards, and to pay him a pension of \$12 per month.

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

FREDERICK MEHRING.

The bill (H. R. 6420) granting an increase of pension to Frederick Mehring was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Mehring, late of Company C, Sixteenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JAMES H. WHALEY.

The bill (S. 4192) granting an increase of pension to James H. Whaley was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Whaley, late of Company G, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

MARY H. CORNELL.

The bill (S. 76) granting a pension to Mary H. Cornell was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary H. Cornell, widow of Horatio N. Cornell, late of United States steamship Michigan, United States Navy, and pay her a pension at the rate of \$8 per month.

Mr. COCKRELL. I notice in that case—and I call the attention of the Senator from North Dakota [Mr. McCUMBER] to it—that in the last Congress this lady was allowed \$12 per month. The bill was introduced for that amount, and I hope the committee will allow the amendment to be amended in that way.

Mr. McCUMBER. At what amount?

Mr. COCKRELL. At \$12 per month, instead of at \$8, as the committee have reported.

Mr. McCUMBER. I have no objection to the amendment of the committee being amended as suggested by the Senator from Missouri.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee, in line 8, before the word "dollars," by striking out the word "eight" and inserting "twelve;" so as to read "at the rate of \$12 per month."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

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

JOHN W. PARIS.

The bill (S. 4678) granting an increase of pension to John W. Paris was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Paris, late second lieutenant Com-



pany H, One hundred and eighty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JOHN A. BLAIR.

The bill (S. 3385) granting an increase of pension to John A. Blair was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Blair, late of Company I, Thirtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ELIZABETH BEDFORD.

The bill (S. 3485) granting an increase of pension to Elizabeth Bedford was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Heavy," to insert "Volunteer;" in line 8, after the word "Artillery," to strike out "Volunteers;" and in line 9, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Bedford, widow of John H. Bedford, late of Company C, Fifth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

HENRY D. FILKINS.

The bill (H. R. 12191) granting an increase of pension to Henry D. Filkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry D. Filkins, late of Company K, Sixteenth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

ELIZA J. GARDNER.

The bill (H. R. 12073) granting an increase of pension to Eliza J. Gardner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza J. Gardner, widow of Hezekiah Gardner, late captain Company I, One hundredth Regiment Illinois Volunteer Infantry, and captain Company B, Third Regiment Veteran Reserve Corps, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

JAMES LARGE.

The bill (H. R. 12053) granting an increase of pension to James Large was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Large, late of Company G, Eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JEREMIAH SHELTON.

The bill (H. R. 11894) granting an increase of pension to Jeremiah Sheldon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jeremiah Sheldon, late of Company C, Fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

JAMES LYNCH.

The bill (H. R. 11655) granting an increase of pension to James Lynch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Lynch, late of

Company E, One hundred and fifty-third Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

RANDOLPH T. STOOPS.

The bill (H. R. 4634) granting an increase of pension to Randolph T. Stoops was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Randolph T. Stoops, late captain Company C, Eleventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

IRVING HOLCOMB.

The bill (H. R. 5262) granting an increase of pension to Irving Holcomb was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Irving Holcomb, late captain Company B, One hundred and twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

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

BENJAMIN MANNING.

The bill (H. R. 6824) granting an increase of pension to Benjamin Manning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin Manning, late of Company C, Ninth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

CHARLES M. MORRISON.

The bill (H. R. 9789) granting an increase of pension to Charles M. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles M. Morrison, late of Company H, Ninety-fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

AMELIA HUTCHINS.

The bill (H. R. 7394) granting an increase of pension to Amelia Hutchins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia Hutchins, widow of Chauncey B. Hutchins, late surgeon One hundred and sixteenth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

BENJAMIN R. W. MOCKABEE.

The bill (H. R. 7698) granting an increase of pension to Benjamin R. W. Mockabee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin R. W. Mockabee, late of Company C, First Regiment New York Volunteer Engineers, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

GEORGE D. BOYD.

The bill (H. R. 620) granting an increase of pension to George D. Boyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George D. Boyd, late of Company A, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

CHARITY M. FARMER.

The bill (H. R. 2914) granting an increase of pension to Charity M. Farmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charity M. Farmer, widow of Bryan Farmer, late of Captain Calhoun's company, First Regiment Georgia Light Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

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

## JAMES M. SIMMS.

The bill (H. R. 3266) granting a pension to James M. Simms was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Simms, late acting chaplain Second Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$2 per month.

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

## JASPER M. GRIGGS.

The bill (H. R. 4230) granting an increase of pension to Jasper M. Griggs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jasper M. Griggs, late sergeant and second lieutenant Company C, One hundred and fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

## NANNIE J. McDOWELL.

The bill (H. R. 11629) granting an increase of pension to Nannie J. McDowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nannie J. McDowell, widow of James H. McDowell, late first lieutenant Company B, Seventeenth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

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

## JULIA A. ALLISON.

The bill (H. R. 11563) granting a pension to Julia A. Allison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia A. Allison, widow of William Allison, late of Captain King's company, Georgia Volunteers, Cherokee Indian disturbances, and to pay her a pension of \$8 per month.

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

## AGNES HARMON.

The bill (S. 5077) granting an increase of pension to Agnes Harmon was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Agnes Harmon, widow of George W. Harmon, late first lieutenant Company F, Seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said George W. Harmon until she reaches the age of 16 years.

The amendment was agreed to.

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

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

## SARAH S. SMITH.

The bill (S. 3777) granting a pension to Sarah S. Smith was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah S. Smith, widow of David Smith, late rear-admiral, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

## JOSHUA M'CORMICK.

The bill (S. 4364) granting an increase of pension to Joshua McCormick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, after the word "receiving," to insert "payable to his duly constituted guardian;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joshua McCormick, late of Company A, Ninetieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving, payable to his duly constituted guardian.

The amendment was agreed to.

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

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

## AMANDA J. FRYBARGER.

The bill (S. 25) granting an increase of pension to Amanda J. Frybarger was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda J. Frybarger, widow of William W. Frybarger, late colonel First Regiment Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

## ALICE M. STAFFORD.

The bill (S. 2727) granting an increase of pension to Alice M. Stafford was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice M. Stafford, widow of Stephen R. Stafford, late captain, Fifteenth Regiment United States Infantry, and major, United States Army, retired, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said Stephen R. Stafford until she reaches the age of 16 years.

The amendment was agreed to.

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

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

## THOMAS H. DEVINE.

The bill (S. 4670) granting an increase of pension to Thomas H. Devine was considered as in Committee of the Whole.

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

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Devine, late of Company C, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

## CORNELIA K. SMITH.

The bill (S. 5110) granting a pension to Cornelia K. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "widow of," to strike out "Captain;" in the same line, after the word "late," to strike out "of" and insert "captain;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia K. Smith, widow of Henry J. Smith, late captain Company C, Fifty third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The amendments were agreed to.

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

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

## JAMES K. DEYO.

The bill (S. 3305) granting an increase of pension to James K. Deyo was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "and Company D, One hundred and eighty-ninth Regiment New York Volunteer Infantry;" and in line 10, before the word "dollars," to strike out "seventy-five" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James K. Deyo, late of Company C, Sixty-first Regiment New York Volunteer Infantry, and Company D, One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.



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

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

JOSEPH L. COTEY.

The bill (S. 3778) granting an increase of pension to Joseph L. Cotey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "captain," to strike out "of;" and in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph L. Cotey, late captain Company G, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

AMANDA L. MARDIN.

The bill (S. 725) granting a pension to Amanda L. Mardin was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda L. Mardin, widow of Riley H. Mardin, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and second lieutenant Company A, One hundred and twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Amanda L. Mardin."

DANIEL TAYLOR.

The bill (S. 4915) granting an increase of pension to Daniel Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Taylor, late of Company G, Fifth Regiment Missouri Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

CHARLES H. EDICK.

The bill (S. 5032) granting an increase of pension to Charles H. Edick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Edick, late of Company H, One hundred and forty-seventh Regiment New York Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

JOHN WAARSTESON.

The bill (S. 4935) granting a pension to John Waarsteson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Waarsteson, late of Company B, First Regiment North Dakota Volunteer Infantry, war with Spain, and to pay him a pension of \$30 per month.

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

MARGARET J. SNOOK.

The bill (H. R. 12805) granting a pension to Margaret J. Snook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Snook, widow of John N. Snook, late of Company H, First Regiment Iowa Volunteer Cavalry, and to pay her a pension of \$12 per month.

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

GEORGE BROWN.

The bill (H. R. 4353) granting an increase of pension to George Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Brown, late of Company G, Ninety-first Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

ELIAS HOLLIDAY.

The bill (H. R. 1905) granting an increase of pension to Elias Holliday was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elias Holliday, late of Company I, Thirty-ninth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

GEORGE H. SUITS.

The bill (H. R. 1877) granting an increase of pension to George H. Suits was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Suits, late of Company H, Fifth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

JAMES WILKINSON.

The bill (H. R. 1861) granting an increase of pension to James Wilkinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Wilkinson, late of Company F, Ninety-third Regiment New York Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

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

GEORGIA R. DEMAREST.

The bill (H. R. 4990) granting a pension to Georgia R. Demarest was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Georgia R. Demarest, widow of Sidney B. Demarest, late of Company B, Eighty-fifth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$8 per month.

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

Mr. McCUMBER. Mr. President, inasmuch as it will be impossible to complete the Pension Calendar without prolonging the session to an unusually late hour, I will move that the Senate adjourn.

Mr. KEAN. I suggest that the Senator withdraw that motion, so that we may have an executive session for a few minutes.

Mr. McCUMBER. I will withdraw the motion for that purpose.

#### EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 5 o'clock and 31 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 26, 1904, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate March 25, 1904.*

##### UNITED STATES ATTORNEY.

George B. Curtiss, of New York, to be United States attorney for the northern district of New York. A reappointment, his term expiring June 4, 1904.

##### SECRETARY OF LEGATION.

Charles Dunning White, of New Jersey, to be secretary of the legation of the United States at Buenos Ayres, Argentine Republic, vice Edward Winslow Ames, nominated to be secretary of the legation at Santiago, Chile.

##### PROMOTIONS IN THE ARMY.

###### CAVALRY ARM.

First Lieut. Chalmers G. Hall, Fifth Cavalry, to be captain, September 19, 1903, vice Fenton, Thirteenth Cavalry, detailed as paymaster.

NOTE.—The above-named officer was nominated to the Senate December 8, 1903, and confirmed on the 22d instant, under the name of "Chalmers C. Hall." This message is to correct error in the name of the nominee.

###### INFANTRY ARM.

###### To be majors.

Capt. Francis J. Kernan, Second Infantry, January 20, 1904, vice Paulding, Eighteenth Infantry, promoted.

Capt. Chase W. Kennedy, Eighth Infantry, January 24, 1904, vice Cooke, Twenty-sixth Infantry, promoted.

*To be captain.*

First. Lieut. Carl A. Martin, Twenty-fifth Infantry, January 20, 1904, vice Dapray, Twenty-sixth Infantry, retired from active service.

*To be first lieutenant:*

Second Lieut. Ira F. Fravel, Twenty-fourth Infantry, January 20, 1904, vice Martin, Twenty-fifth Infantry, promoted.

## PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Andrew T. Graham to be a lieutenant in the Navy from the 1st day of January, 1904, vice Lieut. Harry George, promoted.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in their present grade:

Victor A. Kimberly.  
Hilary H. Royall.  
Charles E. Courtney.  
Harry L. Brinser.  
John T. Bowers.

## POSTMASTERS.

## CALIFORNIA.

C. H. Anson to be postmaster at Monrovia, in the county of Los Angeles and State of California, in place of James W. Harvey. Incumbent's commission expires March 31, 1904.

Franklin L. Glass to be postmaster at Martinez, in the county of Contra Costa and State of California, in place of Franklin L. Glass. Incumbent's commission expired March 20, 1904.

John Lemasters to be postmaster at Kern, in the county of Kern and State of California, in place of John Lemasters. Incumbent's commission expires April 12, 1904.

## COLORADO.

Ella New to be postmaster at Delta, in the county of Delta and State of Colorado, in place of Charles B. Chrysler, resigned.

## CONNECTICUT.

George W. Randall to be postmaster at Rockville, in the county of Tolland and State of Connecticut, in place of George W. Randall. Incumbent's commission expired March 2, 1903.

Charles T. Welch to be postmaster at Windsor, in the county of Hartford and State of Connecticut, in place of Charles T. Welch. Incumbent's commission expires April 12, 1904.

## ILLINOIS.

Frank E. Davis to be postmaster at Arlington Heights, in the county of Cook and State of Illinois. Office became Presidential January 1, 1904.

John Grierson to be postmaster at Morrison, in the county of Whiteside and State of Illinois, in place of John Grierson. Incumbent's commission expires March 30, 1904.

Elmer E. Smith to be postmaster at Clayton, in the county of Adams and State of Illinois, in place of Elmer E. Smith. Incumbent's commission expires April 12, 1904.

## KANSAS.

Henry C. Abbott to be postmaster at Le Roy, in the county of Coffey and State of Kansas. Office became Presidential January 1, 1904.

## MASSACHUSETTS.

Oliver P. Kendrick to be postmaster at West Brookfield, in the county of Worcester and State of Massachusetts, in place of Oliver P. Kendrick. Incumbent's commission expires March 31, 1904.

## MICHIGAN.

Edmund O. Dewey to be postmaster at Owosso, in the county of Shiawassee and State of Michigan, in place of Edmund O. Dewey. Incumbent's commission expires March 31, 1904.

William J. Ingersoll to be postmaster at Mayville, in the county of Tuscola and State of Michigan, in place of William J. Ingersoll. Incumbent's commission expires April 12, 1904.

## MINNESOTA.

Frank M. Shook to be postmaster at Aitkin, in the county of Aitkin and State of Minnesota, in place of Carlton Graves. Incumbent's commission expires April 12, 1904.

## NEBRASKA.

A. D. McNeer to be postmaster at Blue Hill, in the county of Webster and State of Nebraska, in place of John S. Hoover. Incumbent's commission expired January 23, 1904.

L. V. Styles to be postmaster at St. Edward, in the county of Boone and State of Nebraska, in place of Richard F. Williams. Incumbent's commission expired January 20, 1904.

## NEW YORK.

Charles P. Barnes to be postmaster at Brighton, in the county of Monroe and State of New York, in place of Charles P. Barnes. Incumbent's commission expires April 14, 1904.

## OHIO.

Samuel F. Smith to be postmaster at Pomeroy, in the county of Meigs and State of Ohio, in place of Charles A. Hartley. Incumbent's commission expires March 31, 1904.

William C. Hughes to be postmaster at New Straitsville, in the county of Perry and State of Ohio. Office became Presidential January 1, 1904.

## OKLAHOMA.

Jacob Puckett to be postmaster at Cushing, in the county of Payne and Territory of Oklahoma. Office became Presidential October 1, 1903.

## VERMONT.

Walter G. Shaw to be postmaster at North Bennington, in the county of Bennington and State of Vermont, in place of Walter G. Shaw. Incumbent's commission expires April 12, 1904.

Herbert E. Taylor to be postmaster at Brattleboro, in the county of Windham and State of Vermont, in place of Dan P. Webster, deceased.

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 25, 1904.

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.

## ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that bills on the Private Calendar in order for to-day under the rule may be in order to-morrow; that to-morrow be substituted for to-day.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that to-morrow may be substituted for to-day in considering bills on the Private Calendar.

Mr. OVERSTREET. Mr. Speaker—

Mr. WILLIAMS of Mississippi. One moment. Mr. Speaker, I wish to inquire if the report in the Swayne impeachment case has been filed in the House?

The SPEAKER. It has not.

Mr. OVERSTREET. Mr. Speaker, I wish to inquire if the gentleman from New Hampshire will not so modify his request that to-morrow shall be given over to the Pension Committee, subject to the appropriation bill for the post-office service, as it is possible that bill may not be concluded to-day?

Mr. SULLOWAY. If that should happen, I should ask unanimous consent in the morning for some other day.

Mr. CUSHMAN. Mr. Speaker, a parliamentary inquiry. Do I understand if the motion of the gentleman shall carry and to-morrow be substituted for to-day for the consideration of pension matters, that the order will carry with it the order in reference to an Alaskan Delegate?

The SPEAKER. The gentleman has a continuing order, as the Chair recollects. Is there objection? [After a pause.] The Chair hears none.

## REPORT FROM COMMITTEE ON RULES.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 200: "Resolved, That it shall be in order for the House in Committee of the Whole to consider so much of H. R. 13521 as is embraced between the word 'substation,' in line 25 of page 25, and the word 'For,' in line 13 on page 26, as if the same were not subject to a point of order."

have had the same under consideration, and beg leave to report the same with the recommendation that it be agreed to by the House.

Mr. DALZELL. Mr. Speaker, one word in explanation of the rule. The rule provides that the text of the post-office appropriation bill contained between the word "substations," page 25, and the word "for," in line 13, page 26, shall be in order for consideration. I will read to the House what the text of the post-office bill is as described in the rule:

On and after July 1, 1904, letter carriers of the rural free-delivery service shall receive a salary not exceeding \$720 per annum, and no other or further allowance or salary shall be made to said carriers; and on and after said date said carriers shall not solicit business or receive orders of any kind for any person, firm, or corporation, and shall not, during their hours of employment, carry any merchandise for hire: *Provided*, That said carriers may carry merchandise for hire for and upon the request of patrons residing upon their respective routes whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster-General may prescribe.

In other words, the effect of the rule is to put back again into the bill that which was taken out of it yesterday upon points of order, and to afford the Committee of the Whole a chance to consider that portion of the post-office appropriation bill as if the points of order had not been made.

Mr. MANN. Will the gentleman yield for a question?

Mr. DALZELL. Certainly.